IMT Nuremberg Archives

H – 1012

International Court of Justice

COM B - Ehlich

Ahuna
Take 1, Page 1
4 July 46
1015 - 1130

H1012 - 0002

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

4 July 1946

(The Commission convened at 1015 hours.)

COMMISSIONER:

Captain Joseph Tubridy.

THE S.D.

HANS EHLICH, a witness, took the stand and testified as follows:

CAPT. TUBRIDY: Will the witness stand, please, raise your right hand, and repeat after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

Be seated please. Your witness, Dr. Gawlik.

DIRECT EXAMINATION

~~BY DR. GAWLIK~~

DR. GAWLIK: I wish to prove by the interrogation of Dr. Ehlich that Section III-B of the S.D. did not have the general plan and the goals of this plan, tasks and activities, to participate in actions which are characterized as criminal under Article y of the Statutes, and in connection with this,

First, that since the establishment of the R.S.H.A., that is, since 1939, the S.D. no longer took care of Jewish problems and consequently did not participate in the Jewish persecution. Exhibit 78, Trial Brief Gestapo, SD, Page 53 of the German translation.

H1012 - 0003

Second, that the activities of Group III-B were not directed to conspiracy of committing crimes against peace, war crimes, and crimes against humanity.

Third, the SD did not have the responsibility for erecting or putting people into concentration camps, and for the transferring of racially and politically undesirable individuals into concentration camps, or for establishing camps for forced labor. Page 43 of the German translation.

Fourth, that the SD, Section III, RSHA, did not commit any expansion policies with the purpose of committing crimes against peace, war crimes, crimes against humanity. SS III G.

Fifth, that the SD did not commit any shooting of politically or racially undesirable individuals, and within the SD, only a small circle of individuals charged with intelligence work, was informed of that. 6-A, Trial Brief Gestapo SD, Page 21 of the German translation.

Sixth, that the SD was not used for the purpose of executing the bullet order. III- C of the Trial Brief against SD and Gestapo, Page 42, German translation.

Seventh, that the SD did not participate in the deportation of nationals of occupied territories for the purpose of forced labor and that they did not supervise people doing compulsory labor. Exhibit V-1-e, Page 46 of the German translation.

Eighth, that the SD was not competent for the execution of the Night and Fog decree. VI-G, Page 48 of the Trial Brief, German translation.

Ninth, to refute the charges of the Prosecution that the SD has participated, by way of the Immigration Central Office, in the evacuation of foreigners. Trial Brief against SS, III-G, Page 36 of the German Translation.

H1012 - 0004

DIRECT EXAMINATION

BY DR. GAWLIK:

Q First, I shall ask some questions to prove the competency of the witness. What was your last position in the RSHA?

A My last position was that of Group Leader, III-B, Section III, SD Interior.

Q What problems did this group deal with?

A Section III-B dealt with the problems of population policies, public hygiene, and problems of Volkdum.

Q When did you start in this position?

A Since the beginning of 1940.

Q What was your position before this time?

A Before this time I was expert of the Section for racial policies and public hygiene.

Q What was your function as Gruppenleiter?

A My functions consisted of First, Personnel and Organization of the Group. I dealt with the principles and basic problems pertinent to this group. I represented the group in organizational and factual problems. Besides that, I was Section Chief of Section III-B, the section dealing with racial policies and public hygiene.

Q For what period are you competent to testify for Group III-B?

A Since the Group was established in 1940.

Q I shall now ask an introductory question.

M. MONNERAY: Just to make it clear, before 1940 he told us he dealt with facial policies. Was this in the RSHA also?

WITNESS: Yes, within the Amt III, Group III B was established in 1940. The section for Racial Policies and Public Hygiene was existing even before that time.

H1012 - 0005

BY DR. GAWLIK:

Q Did the SD deal with a Section III-B-1, Volkdum work, before 1940?

A Yes.

Q Are you competent to testify in regard to this work also?

A On the basis of the most important records available.

Q Did the Sector III-B-2, which dealt with minorities, dealt with by the SD before 1940?

A Yes.

Q Are you competent to testify about that also?

A Yes, on the basis of the most important records.

Q Was Section III-B also dealt with before 1940?

A Yes, I answered that.

Q Are you competent to testify to that also?

A Yes.

Q Sectors III-B-4, and III-B-5, were they also dealt with before 1940?

A No.

Q My questions now refer to point 1. Did you organize Sector III-B-3, Public Hygiene?

A Yes, I can say that I was the one who organized that Sector.

Q Did this sector deal with Jewish problems?

A No, this sector did not deal with Jewish problems. In Section III, no Sector dealt with Jewish problems.

Q The Prosecution alleges that the SD too has participated in a policy of extermination of foreign races. What have you to say about that?

A During my activity in Section III, I never heard of a policy of extermination being executed by the SD. Section III did not have the task of dealing with the Jewish problem. I have never heard anything regarding the extermination of any other races.

H1012 - 0006

Q Will you please describe briefly the functions of III-B-3, Race and Public Hygiene?

A The tasks of Sector III-B-3 were: First, intelligence service dealing with basic scientific questions of racial policies, population policies, ancestry research and ~~xxxxxx~~ ancestry care. Second, intelligence service concerning questions of public hygiene, organization of public health measures, basic questions of the pharmacies and hospitals.

Q What do you mean when you say intelligence service?

A Purely intelligence service duties ~~are~~: Gathering and collecting of reports regarding the moral attitude and opinions of the population towards events and measures, and decrees of the leading authorities; evaluation of such reports ~~xx~~ and the furnishing of information to the competent authorities~~xx~~ of the Party and State.

Q I now go over to Point 2. What was the function of group III-B-1 which you directed?

A The functions of Group III-B-1 were:

Intelligence service in racial policies and public hygiene; intelligence service concerning the problems of Volkdum, that is to say, gathering information regarding the peculiarities and the different customs of the individual peoples in relation to their spheres of life.

Q What do you understand by Volkdum?

A Volkdum is a people in itself, its peculiarities and its forms. I also wish to explain the concept "Volkdum". Volk is a unit resulting from a historical development, one cultural. . .

CAPT. TUBRIDY: Just a minute. Dont we need this Dr. Gawlik? We don't need any definition of sociological terms.

BY DR. GAWLIK:

H1012 - 0007

Q What was the goal and purpose of the intelligence work of Group III-B?

A The goal of the Group III-B was the collecting of information regarding spheres of life. The purpose was to inform the competent leading authorities.

Q What was the purpose of informing these authorities? Was the purpose to aid people who had conspired to commit crimes against peace, war crimes, and crimes against humanity?

LT. CMDR. HARRIS: I object to that question as being leading. I think the first part of the question is perfectly proper.

DR. GAWLIK: I shall withdraw the second part.

WITNESS: Will you please repeat the question?

BY DR. GAWLIK:

Q What was the purpose of informing the authorities?

A The purpose was to inform the leading authorities of the effect of these measures and decrees issued by the authorities on the population and what the attitude of the population was towards these decrees.

Q That is the same thing which I have asked you. What was the purpose of informing them?

A They were informed for the purpose of issuing new decrees, of taking new measures to reshape certain developments, or to change them.

Q Were those to be measures for the purpose of committing crimes against the peace, war crimes, and crimes against humanity?

M. MONNERAY: I am sorry to object, but I have the same objection as Commander Harris.

DR. GAWLIKE: I shall withdraw the question.

CAPT. TUBRIDY: Just a minute. I don't see that it makes so very much difference because his observations do not carry any weight anyway.

H1012 - 0008

M. MONNERAY: Perhaps the defense counsel could put the question in a different way.

CAPT. TUBRIDY: I think, Dr. Gawlik, that you are aware of the matter, and you may proceed.

BY DR. GAWLIK:

Q What kind of measures were to be taken? Please answer this question from the point of view of the SD.

A The only task of the SD was that of informing the authorities objectively of what information they had gathered. This did not give him the authority of decisions or influence on the decisions regarding individuals or groups of individuals.

Q Did you get any requests from other offices in connection with your work?

A Yes, we did receive them.

Q Was that a larger part of your work?

A No, generally the orders emanated from the current work.

Q Did you manage the work of these subordinate Leitabschnittes and Abschnittes on your own initiative or did you receive directives?

A The directives usually ensued from the current work but we also received basic directives . All directives to subordinate offices were by way of the chief of Sector III.

Q What were the general directives?

A The general directives were, briefly, First, the SD had no executive authority, but merely intelligence service duties. Secondly, particularly important for Section III-B is the work pertaining to the observations of formations, and peculiarites of life, and the evaluation of this significant difference between peoples.

H1012 - 0009

Q I now turn to point 3. Will you describe briefly the activities of III-B-1, Volkdum work?

A It was the task of Sector III-B-1, to take care of intelligence service regarding German Volk groups and regarding the German groups in the incorporated and occupied territories. Further than that, Sector III-B-1 received special assignments from the highest authorities in this field which was the Reich Commissioner for German Volkdum. These special assignments were for expert opinions within the sphere of Volkdum because during the war they lacked sufficient experts. This, however, was an assignment which did not strictly belong within the working sphere of the SD.

Q I now will show you document R-112. Will you please look at the directive dated July 1, 1942. Are you acquainted with this directive?

A Yes.

Q Was that an intelligence service assignment of the SD, Sector III?

A No.

Q On the basis of this directive, what was the purpose of inserting Sector III into the SD?

A This directive deals with the resettlement of members of Section IV of the German Peoples list. The dealing with the members of Section IV of the German Peoples List who had lived in Poland before the war and who had been active, though they were Germans, against the other Germans, was on the basis of directives and was an affair of the SDAPO offices. In every case, these individuals were to be taken into protective custody, but since they were problems pertaining to Volkdum and the reconversion of these peoples to the German Volkdum, expert opinions were desired for this special case where peoples of Volkdum were concerned. This special assignment was given to III-B of the SD on the basis of this directive.

H1012 - 0010

Q Was the SD or the SD Leitabschnitt, on the basis of this directive, competent for protective custody or for the throwing into concentration camps of an individual?

LT. CMDR. HARRIS: I think I object to the question on the grounds that it seeks to contradict the express language of the directive.

CAPT. TUBRIDY: May I see the directive? I think he may answer and we will reserve the subject matter for cross examination.

WITNESS: No, this was not the task for the SD for the directive states that "The expert opinion of the SD is to be given before", and I repeat "before the decision is made by the Gestapo."

LT. CMDR. HARRIS: Just a minute. Where are you reading from the document? I don't mind the witness reading from the document. I submit that the statement of the witness is inconsistent with the wording of the documents itself, and therefore ask that the paragraph upon which he relies be read in the true context of the document.

CAPT. TUBRIDY: Will you read that section of the document which is pertinent here?

LT. CMDR HARRIS: That is paragraph 4.

INTERPRETER: The racial tasks having been completed, the leaders of the State Police Superior Offices and the leaders of the Superior State Offices, the Departments in the Security Offices, the III-B offices, will together assemble the material available and will apply them in particularly difficult cases. The dossiers are first to be submitted by security offices Department III and III-B. The decision of the latter office then will be forwarded to the competent State Superior Offices.

DR. GAWLIK: Witness, you have heard this paragraph?

WITNESS: Yes.

H1012 - 0011

BY DR. GAWLIK:

Q Will you please elucidate the statement?

A The English translation which was just read had left out something which appears in the original German.

Paragraph 4 indicates that Gestapo examination and decisions of the case differs from the examination of the Volkdum problem by the experts of the SD. If that would not have been the case, one would not have needed the expert opinions of the SD. The SD never could apply for protective custody or for the transferring into concentration camps. Only the NSDAP could do that. That is why paragraph 4 prescribes that the expert opinion on the Volkdum problem of the RSHA III-B has to return to the STATE SDAPO who has dealt with the case previously. It was up to them to continue to deal with the case.

Q So, what was the exact participation in the work of the measures mentioned here in paragraph 4?

A The participation of the SD consisted in rendering an expert opinion regarding the Volkdum problem in the particular case.

Q Perhaps you can give us an example.

A I can only construct a theoretical example since I do not know a single practical case where the SD was asked for an expert opinion as elucidated in this directive.

LT. CMDR. HARRIS: Then, if the witness is not qualified to give an example I do not think he should give one.

DR. GAWLIK: I want to withdraw the question and put another one to you.

BY DR. GAWLIK:

Q Do you want to say that this directive was not executed in practice?

H1012 - 0012

A Yes.

Q What intelligence service information was received by III-B-1, Volkdum work?

A III-B-1 substantially received information regarding the peculiarities of German Volkdum groups. Particularly in the spheres of life, cooperations, schools, cultural problems, etc.

Q What was the purpose of this information that you received?

A The purpose of receiving such information was to inform the competent authorities

Q Was that a preparation for the incorporation of territories where foreign nationalities of German Volkdum lived?

A No, it was merely a matter of having the leading authorities receive such information.

Q I now turn to point 4. What were the activities of Sector III-B-5, occupied territories?

A The task of III-B-5 was to gather information concerning the different peoples in the occupied territories in their most essential forms of life. Sector III-B-5 was particularly used as an information office for all the other sectors of Section III.

Q Were there any SD offices in the occupied territories?

A Yes, the Commissars of the SIPO and of the SD had Section III attached to it./ Not in all occupied territories, however.

Q Did these offices organizationally belong to Section III or were they a special organization?

A Organizationally, these departments did not belong to Section III. They were only subordinate to them in factual matters.

Q In your capacity as chief of III B, to whom also was subordinated the III-B-5 offices in the occupied territories, were you acquainted with the activities of the Einsatzgruppen?

H1012 - 0013

A Yes, I was acquainted with the activities of the Einsatzgruppen Groups, in particular where it was a matter of activities of the Section III.

Q Were the members of the SD active in these Einsatz Groups?

A Yes.

Q Did you receive reports from these members of the SD?

A Yes.

Q What kind of reports did you get?

A These were the same sort of intelligence service reports regarding the spheres of life which were also furnished in the interior.

Q Did these reports show that the Einsatz Groups had killed a great number of persons?

A I have not read anything in the reports of Section III of the SD pertaining to mass exterminations of peoples in the occupied territories. Reports in that respect were the affairs of Section IV or Section IV of the RSHA.

M. MONNERAY: I am sorry, I did not understand. You said first, Section IV and afterwards, you said Amt IV. What is the difference?

WITNESS: The Sector IV is with the Einsatz Group. The Amt IV is with RSHA.

BY DR. GAWLIK:

Q The activities of the Einsatz Groups must have become public property of the population in occupied territories and consequently must have had an effect on their morale. Did the members of the SD, in reporting this, tell of the effect on the morale of the peoples in the occupied territories?

A Yes, some of the reports of the SD to some departments did have a report on the effect on the morale of the shooting of Bolshevik Jewish people.

Q What was said about the shootings in the years 1941 to 1945?

A In the years 1941 and 1943, we received occassional reports , partly that the population deplored these shootings entirely, and that in some territories,

H1012 - 0014

I hear recall~~rep~~ reports from ~~xxxxxxxx~~ Lithuania and some from Ruthania, some parts of the population participated actively in these shootings. ~~xxxxxxxx~~ The years 1943, 1944 and 1945 did not bring any reports.

Q Who were the persons, individuals, in the SD, Amt III, who became aware of these reports?

A Only persons immediately dealing with these affairs knew of these reports.

Q Can you give us an approximate number?

A In my group, perhaps three, but at the very most, four persons. ~~xxxxxxx~~ There were approximately 90 persons in my group.

Q Did the members of the subordinate offices of the Leitabschnitt of the Branch Office and the confidentail agents become acquainted with these reports?

A No.

Q Did you, as chief of Group III, issue any directives for the shooting of Bolshevik individuals?

A No.

Q Was the SD at all competent for that?

A No, the SD was an intelligence service.

Q How far did the SD deal with the shooting of persons in the East?

A With the shooting itself, it had nothing to do. Only with the effects these shootings had as I testified previously.

Q What were the consequences of such reports regarding the effects on the morale of the population?

A These reports were used for the information of the competent departments of Amt IV.

Q Did you receive these reports regularly from the Einsatz Groups?

H1012 - 0015

A No, these reports came in irregularly.

Q I will show you the document L-180. It is a report of Einsatz Group A, dated September, 1941. This report says that mass shootings did take place. Do you know this report and was this report submitted to you at that time?

A I do not know the entire report. I did not see the original to its complete extent.

Q Did you receive any parts of it?

A I did not receive any parts of it I am sure, because it was not permitted to be taken apart. But I probably was instructed by the competent experts as these are matters concerning the intelligence service. But for that, I would have to read the whole report.

Q Who were the competent experts?

A At that time, the competent expert was III-B-1-e.

Q If the expert of III-B had it, it must have passed your desk.

A No. If, for example, I was not present when the report arrived, my deputy chief of the chief of the department had the authority to sign for the top secret matter and to take it so that I did not see or receive every report that arrived at Group III-B.

Q Did these reports come to Amt III?

[redacted]

LT. CMDR. HARRIS: I submit that that question be changed. I think he said III-B-1-e.

CAPT. TUBRIDY: Yes, I think that that was the response.

BY DR. GAWLIK:

Q Did the entire report arrive at III-B-1-e or only parts of it?

A I believe that I answered that question because I stated that a top secret matter could not be pulled apart.

H1012 - 0016

Q Did Amt III use gas wagons?

LT. CMDR. HARRIS: I am going to object to that because it is perfectly obvious tha t the witness does not know anything about the Einsatz Groups. This matter has been covered so many times that it is a complete waste of time.

DR. GAWLIK: I haven't asked any questions concerning the gas wagons. I did not put any questions to any witnesses concerning the gas wagons. By the way, this is the witness who has dealt with the affairsx of occupied territoriesx in Amt III.

CAPT. TUBRIDY: Was he ever in the Eastern territories?

DR. GAWLIKE No. I am asking from the point of view of Amt III.

CAPT. TUBRIDY: He worked in the office and was unaware of what was going on in the field. The point is he is hardly in a position to state whether or not these wagons were used.

DR. GAWLIK: I shall submit the question as follows: Did Amt III issue any directives to employ gas wagons?

WITNESS: No.

BY DR. GAWLIK:

Q Did the intelligence service receive any reports concerning the employment of gas wagons?

A No.

DR. GAWLIK: I now come to point 5.

CAPT. TUBRIDY: We will take a 10 minute recess now, Dr. Gawlik.

(A short recess was taken.)

H1012-0017

DIRECT EXAMINATION RESUMED AT 1145 HOURS

CAPT. TUBRIDY: I think we can resume.

BY DR. GAWLIK:

Q. I now turn to Point 5. Did you know of the aggremment to exterminate Russian Prisoners of War before the Russian Campaign took place?

A. No.

Q. Was the execution of this task one of the duties of the SD?

A. If there was such an agreement, then its putting into practise did not belong to the duties of the SD.

Q. I now turn to Point 6. I am showing you Document PS-1650, the bullet decree, D-569 treatment of Russian Prisoners of War, and PS-1514 transfer of Prisoners of War to the Gestapo. Also SD AMT 3 competent for the execution of these orders.

A. N o. AD AMT 3 was not competent for the execution of these orders.

Q. Will you illucidate?

A. SD AMT 3 and its subordinate officers did not have any executive duties. The addresses of these decrees do not mention SD AMT 3.

Q. Was the SD being utilized for the execution of these orders?

A. No. According to my knowledge, no.

Q. Did the SD concern itself by way of the Counter-Intelligence Service with Prisoners of War?

A. Yes. The SD saw from the perspective of the spheres of life as concerned itself with the Prisoners of War.

Q. Can you give us some examples?

H1012 - 0018

A. For instance, the affect of Prisoner of War employment on the agricultural production. For another example, the affect of Prisoner of War employment on the rural population in general.

Q. Has the SD by way of its reports, initiated or promulgated treatment of Prisoners of War by contradicting International Law?

A. N o.

Q. I now turn to Point 7. What was the duties of the SD in the Department 3B2 minorities?

A. One can only understand the activities of 3B2 only from the development of the Intelligence Service in war time. Before the war and in the beginning of the war, only minorities living in G ermany were dealt with. During the war, all minorities living in Germany and in occupied territories were dealt with from an Intelligence Service point of view.

Q. What did you understand by minorities?

A. Our definition of minorities was German Nationals who despite citizenship, professed to their Volkstum, its culture and its language. For instance, Poles living in the Eastern areas of the old Reich.

Q. How far did the SD AMT 3 deal with these minorities?

A. The SD AMT 3 dealt with these minorities only by way of Intelligence Service regarding the effect on their spheres of life.

Q. Did the SD AMT 3 participate in the deportation of Nationals of occupied territory for the purpose of compulsary labor?

A. N o.

Q. For which territories and for which period can you testify to that?

A. For the entire war and for all those territories in which there were Section 3 of the AMT 3.

H1012 – 0019

Q. Page 1743 of the German record reads: "The Gestapo of the SD participated on the mass deportation of Nationals of the occupied territories in order to employ them as forced labor. " They also handled the penalties dealt out of forced labor. Is that correct?

A. No, I haven't heard a thing about that.

Q. Did the SD have any punishment authority under compulsary labor?

A. No, the SD had no authority to punish b ecause he had no executive powers.

Q. Did the reports of the SD contribute to the deportation?

A. No, on the contrary. In numerous cases the reports of the SD regarding living spheres and spheres of live had indicated that a compulsary deportation of foreign workers into Germany would have an unfavorable affect on the efficiency of production, the relationship of the people to each other, and the security of the Reich.

Q. Page 1746 of the German record reads: "And in this way the Gestapo and SD retained ø control over the forced laborers who were all over the Reich". So far has the SD ever exercised any control?

A. No.

Q. Did AMT 3 regard foreign Nationalists as a group, as an enemy?

A. No. The SD merely concerned itself with spheres of life. As in Intelligence Service, as far as foreign workers are concerned, there is a decree of the Chief of the Security Police and of the SD dated December 7, 1942. This directive shows clearly the difference between the Counter-Intelligence of the STAPO and the spheres of life Intelligence Service of the SD.

Q. I am submitting and showing you Document L-61 dated 26 November 1942. The prosecution has submitted this document in order to prove that the SD did participate, in effect, in the deportation. On the basis of your position in the SD and

H1012 - 0020

as a Gruppenleiter, will you illucidate?

A. The document mentions the ~~xxxxxx~~ SD only in the context which reads, "Chief of the Security Police and of the SD". There is nothing here about any activity of the SD regarding the execution of the order contained in this letter. But, in effect, the SD has cooperated in the work of this problem. The deportation which this document orders, has not been executed because ~~xx~~ those reports of the SD for the Reichsfuehrer SS, the Reichsfuehrer in the spring of 1943, had prohibited its execution.

MR. MONNERAY: May we hav e a copy of this document please?

BY THE WITNESS: I have to add one thing. I myself have signed the teletype to the SD Office in the Generalgovernment which contained the message that the Reichsfuehrer SS cancelled the orders of the deportation.

BY DR. GAWLIK:

Q. I now turn to Point 8. I am submitting to you Document L-90. It is the Night and Fog decree. Did the SD execute that decree?

A. No. This is the first time I am seeing this decree.

Q. Was the SD utilized for the execution of this decree?

A. No. I cannot find anything according to which the SD was utilized.

Q. I now turn to the next point--Page 36 of the German Transcript, Trial brief against the SS reads as follows: "Immigration Center Offices were erected in order to proceed with evacuations under the supervision of the Chief of the Security Police and of the SD and of the Leiter of the RSHA". Did these Immigration Center Offices have anything to do ~~xxxxx~~ concerning the work of Volkstum of the SD?

A. I must correct something here. There were no Immigration Center Offices. There was only one Immigration Center Office. This has nothing to do with the evacuation of foreigners. The Immigration Center Office did have something to do with ~~the~~

H1012 - 0021

Volkstum work but it had nothing to do with the Intelligence Service of the SD.

Q. What was the aim and the purpose of the Immigration Center Office?

A. Its purpose was the registration and naturalization of the Volkstum Germans returning to the Reich. Its purpose was to take care of all the individual channels of this work in one single authority.

Q. To whom was the Immigration Center Office subordinate?

A. The decrees of the Reichsminister of the Interior issued toward the end of October 1938. It was subordinate to the Chief of Security Police and SD.

Q. Did the Immigration Center Office have anything to do with the Intelligence Service of AMT 3 SD?

A. No.

Q. Was it a duty of the Immigration Center Office to care for the settlement of the re-settlers who returned to Germany?

A. No.

Q. Was it a duty of the Immigration Center Office to evacuate or deport foreigners?

A. No. My discription of its duties were exhausted.

Q. Did AMT 3 have anything to do with the deportation or evacuation of foreigners?

A. No. The AMT 3-3-B was not to deal with the execution of the evacuation and deportation of foreigners in the occupied territories.

MR. MONNERAY: Does the witness talk about AMT3 in a general way or AMT 3-3-B?

BY THE WITNESS: AMT 3 in all its sections, did of course include 3-B. AMT 3 was concerned only with the Intelligence Service pertaining to all spheres of live. Also those of evacuation and deportation. For example, I previously testified that the

H1012 - 0022

evacuations of the Poles around Lublin, Document L-61, was reported by the SD to the Reichsfuehrer SS. Many reports came in from Gauleiter Burgel pertaining to evacuation of French speaking residents of Lorraine into France.

Q. What was the aim and the purpose of the reports pertaining to the deportation of the residents of Lorraine?

A. The purpose of these reports was to stop the deportation entirely, or at least reduce them to a minimum since their SD reports showed that all parts of the pupulation were affected negatively by these deportations.

B Y DR. GAWLIK: No further questions.

CROSS EXAMINATION

BY MR. MONNERAY:

Q. Since when are you a member of the SD?

A. Since February 1, 1937.

Q. And what was your position in the beginning of the activities of the SD?

A. I was a referent.

Q. Where?

A. In what used to be the SD in Hauptamt.

Q. And what was your specialty?

A. I was a referent for the referate racial politics and public hygeine.

Q. And this group was changed and made a part of 3B was it not?

A. This department, after AMT 3 was established, was taken into the AMT.

Q. When did you come into the SS?

A. In the year 1932.

Q. What were your functions before entering into the SD?

H1012 - 0023

A. I was a Medical official in the Ministry of the Interior of ~~Sachsony~~ Saxony.

Q. When did you enter the party?

A. I joined the party November 1931.

Q. Have you always been in Berlin in RSHA or any where else in the local service inside of Germany or outside of Germany?

A. No. I had no other position in the SD except in the RSHA.

Q. That was a service of the Intelligence and Information, was it not?

A. Yes.

Q. This Intelligence Service was an Intelligence Service for the Party from the beginning?

A. I cannot testify regarding the period before I entered the SD regarding the organization.

Q. And in 1937 the SD was Party organization, was it not?

A. Yes, but at that time it had already had connections with the State authorities.

Q. So the SD was a political office, was it not?

A. It was the Intelligence Service.

Q. With a political mission?

A. It was an Intelligence Service mission.

Q. You had to give information to the party, did you not?

A. We have made reports to the Party and in the same way to the State authorities.

Q. The aim of this information was to give material to the Party and the State for their political action, was it not?

H1012 - 0024

A. No. The purpose of the work of the SD was to report effec/ actively the attitude, approach and reaction of the masses toward the decrees and measures of the government and to transfer these reports to the competent authorities.

Q. You told us already this much. I would like, if you could answer my questions, if you sent information to the party, it was in order to help the action of the party, was it not? Please answer me yes or no and afterwards you can give your explanation.

~~xxxxxA. I don't know. I do not see any difference between the last question and the question which I have answered previously.~~

~~xxxxxQ. I ask you only witness to answer my question~~

A. No b ecause we had no influence on any action taken between the Party on behalf the ~~xxxx~~ of our reports.

Q. I didn't ask you whether you were influencing the Party. I asked you whether your action and your information was sent over to the Party in order to collaborate with the political aims of this Party.

A. I don't know. I do not see any difference between the last question and the question which I have answered previously.

Q. I ask you only, witness, to answer my question without going into the motive of the question. I ask you only simply, and I think it is a simple question. Since you have been a member of the Party since 1932 or even before, your action consisted into helping the action of the Party, was it not.

A. Yes. T hat is why I was a Party member.

Q. Now your activities were intended to help the activity of the State in the same way of the activities of the Party, did they not?

A. I testified previously that I was a State Civil Servant in my capacity as a Medical Counsel in the ~~Sachsen~~ Saxony Ministry of the Interior.

H1012 - 0025

Q. And it was necessary as much as possible to identify the general lines of activities of the party and the general lines of the activities of the State, ~~xxxxx~~ was it not?

A. Yes.

Q. Now you told us that the SD had no executive powers, did you not?

A. Yes.

Q. Purely information work?

A. Yes.

Q. Information work about all kinds of matters important for the general policiy of the State and the Party?

A. No. Not all possible kinds but only the questions which were put down on the scheme of business pertaining to the different spheres of life.

Q. Now your reports tried to find out the general opinion of the people?

A. Yes.

Q. Now the political opinions of people were of course, very important, were they not?

A. Yes.

Q. So it was necessary to find out ~~xxxxxxxxx~~ their political opinion?

A. Yes. Of course. That was the task.

Q. It was necessary to find out eventually the people who were not in favor of the new system?

A. Yes, of course. Among the apparatus of our co-workers there were many people among the V-Men who did not approve of many things in our program.

Q. And it was necessary for you to find out what groups of people who were not in favor and for what reason, in the State and Party?

H1012 - 0026

A. We were only a party interested in the groups. If it was a matter of professional groups--if for example, the teaching profession disapproved of certain measures of decrees of the State or the Party.

Q. So if you were not interested so much in groups you were more interested in the individuals, were you not?

A. I did not say that we were not interested in groups.

Q. So you were interested in both groups and individuals, were you not?

A. Yes. The individual as an opinion but not in the individual as a name. An example, the reports of the offices did not read "Mr. Mueller stated," but it said "A farmer or a teacher said that."

Q. And you have many V-Men in all kind of activities in the nation, did you not?

A. Yes.

Q. And each V-Man sent to his superior, reports of his own sphere?

A. The V-Man reported to the Branch office.

Q. All right. And those reports of V-Men had to be necessary to be very concrete or to prove what they were telling?

A. Yes, they had to be proven.

Q. So in those reports were put of course, names and concrete proofs in order to check them eventually?

A. Yes. The branch offices did have the names but the report eminating from the branch office to the Aussenstelle no longer contained the name.

Q. And each Aussenstelle was keeping its own archives?

A. Yes.

Q. Now the practical measures to be taken against any branch groups were on the jurisdiction of the Gestapo only, was it not?

H1012 - 0027

A. It was not the purpose of any members of the SD nor that of the Branch Office nor of the sector nor of the RSHA to initiate measures to be taken by the Gestapo.

Q. Really, I would be very obliged for you to answer my question. I did not ask you whether you intended to promote any action. I merely asked you whether it was in the jurisdiction of the Gestapo to carry executive measures out against objectionists.

A. Measures against enemies of the State were matters pertaining to the Gestapo.

Q. And the reports coming from the SD were one of the grounds on which eventually the Gestapo offices could know what kind of opposition was in sight with the State?

A. No, because the Gestapo did not receive reports from the SD but had its own net of confidential agents.

Q. Did you receive in the RSH A, reports from the inspector of the Sipo and the SD?

A. The inspectors of the Sipo and of the SD were merely personnel supervision. organizations of the . It was not up to them to make factual reports and they did not make them.

Q. The inspector of the SD and Sipo do not agree with you on this point. Now, have you known Dr. Best?

A. Yes.

Q. Do you think he is a man who knew quite clear the organization of the German police?

A. Dr. B est resigned from the service of the Sipo in 1940.

BY CAPTAIN TUBRIDY:

Q. Will you answer the question "yes" or "no"?

A. I cannot testify to any time of the period after 1940.

H1012 - 0028

Q. Will you answer the question whether he was correctly informed, "yes" or "no"?

A. For the time before 1940, yes.

BY MR. MONNERAY:

Q. Now he says in his book that the SD on the one hand and the Sipo on the other hand were competing each other.

A. I consider the book by Dr. Best a personal work by Dr. Best and not the official authority book of SD and Sipo.

Q. You told us he knew quite perfectly, the organization of the police, did you not?

A. That is no reason why he should not mention private opinions in his book which he would like to see put into practise.

Q. Very well. Now you told us that 3B, -3-4-5 have not been dealt with by the SD before 1940.

A. If you will check the records you will see that I said that 3B3 was dealt wit but 4 and 5 was not dealt with.

Q. Can you tell us which office was dealing before 1940, with the matters of 4 and 5?

A. The Sector 3B-4 was created in the year 1943 because the problems pertaining to citizenship and naturalization were not dealt with in the RSHA. There was a Section 3B -4 which called itself re-settlement It must be in the order of business 1941.

Q. I have the Document L-185, USA 484 which is a plan of organization 1 January 1941 and you could read 3B-4 Immigration and Resettlement.

H1012 - 0029

A. I have just said that it was a Plan of Organization which the attorney asked me about before. It was a department in Section 3B-4, Citizenship and Naturalization. This department did not exist previously in the year 1940 when the representative of the prosecution asked me about it. I have answered to the preceding question of the representative of the prosecution. There was a department of resettlement. I wanted to answer some more but the representative of the prosecution interrupted me.

Q. I only wanted to know whether those departments existed at that time. You told us in AMT 3, nobody was dealing with the Jewish question.

A. Yes.

Q. And within Germany there were still Jews living in 1941 and 1942, were there not?

A. Yes.

Q. And this group was objecting to certain measures, was it not?

A. Yes.

Q. And the SD, which had the mission of reporting on all manifestations within Germany, was not interested at all in knowing what the incidents of those measures against Jews were?

A. No.

Q. But you told us that your mission was to know all about what happendd inside of Germany as far as legal measures are concerned?

A. Yes but through the regulation concerning the limitation of the task of AMT 3 and the tasks of AMT 4 (Gestapo), it was determined that all problems concerning Jews, including those of Intelligence Service, were to be dealt with only by AMT 4.

H1012 – 0030

Q. At what time were those rules established?

A. I believe, I am not quite sure, however, that the correct date of the Plan of Organization is 27 September 1939.

Q. And before this date, SD was dealing with the Jewish question, was it not?

A. The SD in the Central Office II did not deal with the Intelligence Service concerning the Jewish problem.

Q. So you pretend that the SD was never sending any reports concerning Jews?

A. I did not say that. What I did say was that the Central Office II never dealt with the Jewish problem.

Q. I didn't ask you about II. Which was the office dealing with the ~~Jews?~~ Jewish problem?

A. The office dealing with the Jewish Problem was the departmental Jewish problems in Central Office II-1.

Q. And your office after the organization of race and national health had nothing ~~to~~ to do with the Jewish problem?

A. We have received in my department before AMT 3 was instituted, occasional reports. These reports dealt with the facts on German living spheres still remaining from Jewish influence and my department did not deal with these matters since the other department called on Jewish problems in Department #1 was a competent one.

Q. So the SD was dealing with the Jewish ~~xxxxxxx~~ question, was it not?

A. Yes. Central Department II-1.

Q. And in the matter of race, the Jewish question was a central question, was it not?

A. No because the Jewish problem is not a problem of race but with the Jews it is a people.

H1012 - 0031

Q. What was the formation of 3-B -5?

A. I have extensively answered that question before. It was the task of 3-B-5 to collect the reports from occupied territories in regard to the ~~peculiarities~~ peculiarities of the individual people and to instruct all the other departments of AMT 3 in regard to these questions.

Q. Did you receive any reports from the occupied territories concerning eventual opposition to Germany?

A. T he reports of SD was dealt with resistance groups as far as they had any affects on the different spheres of life.

Q. So you were dealing with resistance movements in occupied territories?

A. In that sense yes.

Q. Have you any connection with AMT-4?

A. Y es. There were official connections. May I give you an example?

Q. Yes.

A. The policies of the Reichs Commissioner from Norway Terboven, had promoted the formation of resistance groups. This had an affect on the security of the German occupation in Norway. AMT-4 reported on that. The negative activities of Terboven also had affect on the spheres of life and AMT 3 reported on that.

Q. What do you call the spheres of life, if possible very short?

BY CAPT. TUBRIDY: ~~Rxxxxx~~ Particularly the negative affect upon spheres of live.

BY THE WITNESS:

A. Repression of economic activity in Norway by the activity of the resistance groups.

H1012 - 0032

Q. So any office of the RSHA of course had intended to have the largest efficiency of economy in Norway, did it not?

A. The offices of RSHA had no interest whatsoever on the economy of Norway but only on the description of the economic situation.

Q. So the reports were indicating that the resistance movement had a negative result and influence on the Norwegian economy?

A. Yes, that is what I wanted to describe in order to answer the [redacted] question whether there was cooperation between AMT-3 and AMT-4.

Q. You told us just in the beginning of this interrogation that no connection existed between the Gestapo and SD, did you not?

A. I should appreciate to have them shown to me in the records.

Q. Do you agree that SD was cooperating with the Gestapo?

A. The cooperation which I was asked by representative of the prosecution, whether SD by its reports had initiated the persecuting of individuals or groups.

Q. We will put the question otherwise then. The SD was cooperating with the active measures taken by the Gestapo?

A. N o.

Q. And in this Plan of Organization of 1941 it is said that 3-B-1 for instance, at the same time concerning AMT-4 and 3-B-4 Immigration and Re-settlement concerning also AMT-4?

A. May I see the document?

Q. It is L-185 USA 484.

BY CAPT. TUBRIDY: Could you hold this until after lunch. We will adjourn until 2 o'clock.

The Commission adjourned at 1300 hours.

Com B
Take 3, page 1
1400 - 1530
4 July 1946
Dr Hans Ehlich

H1012 - 0033

The Hearing reconvened at 1400 hours
4 July 1946

DR. HANS EHLICH - Resumed
CROSS EXAMINATION - Continued

COMMISSIONERS:

Col. A. M. S. Neave
Mr Martin-Harvard Armand

THE ORGANIZATION SD

COL NEAVE:

Before you commence I want to make an announcement.

The procedure regarding the examination of affidavits by the Commission, which will begin on Monday 8 July 1946, in Room 398 will be announced tomorrow. Andalso the order of the Tribunal regarding the making up of Document Books. Defense counsel should be ready to present affidavits as already announced, on 8 July. And we shall be beginning with the GESTAPO.

I would also like to draw attention to the fact that since witnesses for SD and the GESTAPO must ~~could~~ be finished by the end of this week, that the three-hour rule imposed by the Commissioners will have to be very strictly adhered to.

(And the Commissioner exits.)

Mr
~~COMMISSIONER~~ MARTIN-HARVARD ARMAND:

We have four witnesses to hear before Saturday. Here are the names of the witnesses: EHLICH, ROESSNER, BEST and FROMM.

H1012-0034

Col Neave has asked me to ask you to be as brief as possible and to ask only necessary questions in order that we shall be able to finish on Saturday.

MR. MONNERAY:

I wish to show the witness now, Document L-158, USA-484.

Q Is it correct that the plan of organization indicates that certain sections of Group 3B are in connection with AMT IV concerning the matter of jurisdiction?

A No. The representative of the prosecution seems to refer to the word "beteiligung" as participation.

Q I would like to get the answer, whether, according to this plan, connection exists between Group 3B and AMT IV.

A There is no connection.

Q I will make it clearer. Does this plan indicate that the matters with which Group 3B is dealing with, are equally matters AMT IV is dealing with.

A Yes.

Q So - is it correct that the personnel of Group 3B dealing with those matters had to get in touch with the personnel of AMT IV dealing with the same matters.

A No.

Q Will you please explain why not?

A Yes, sir. The word "beteiligung" as participation is used in German administration if two entirely different

H1012 - 0035

authorities or offices deal with the same matter from two different aspects, and precisely because these two offices are entirely separate the plan of organization has to state that in certain matters the other office must be informed of such things. I can clarify this if the prosecution wishes me, by a practical example derived from the administration.

Q I would prefer to ask you, for instance -- You have 3B1, an office concerned equally with AMT IV and Sections of AMT 3. Now, could you give me an example of the matter which does concern also AMT IV?

A Yes. I will give you an example referring to the hearing of this morning. When 3B1 gives an expert opinion concerning Folkdom which might be interesting to SIPO - which is to say AMT IV, in any decision which AMT IV may make, then Group 3B will seek the participation of AMT IV.

Q In other words, AMT IV is interested if there are any executive measures to be taken, for instance: (interruption)

A No, because matters which are submitted to Group 3B which are not executive matters, for those would be dealt with by AMT IV.

Q Just to make it quite clear, witness, do you maintain that Group 3B never participated in any discussion concerning executive measures dealt out by AMT IV? Do you maintain that Group 3B was only making general reports after any action has been carried out already, and that

H1012 - 0036

AMT III was not consulted by AMT IV, or by other offices, when it was a question to fix new executive measures -- meaning, to be consulted before carrying out of new measures?

A Questions which I am asked up to this point refer to participation in the sense which the plan of organization is shown. I have now been asked concerning confidences pertaining to executive measures by the AMT IV. The GESTAPO, just like any other State organization such as the Ministry of the Interior, has invited representatives of the SD at conferences when it wanted to listen to the opinion of the SD representatives which he had on the basis of his Intelligence Service.

Q So, is it correct that certain measures, such as executive measures against certain groups, before being fixed and settled were discussed with representatives of AMT III? Answer this question by yes or no, first.

A I cannot answer such a question by yes or no.

Q Is it correct, then, that discussions were held before setting up a certain executive measure by the AMT IV-- discussions with AMT III. Is that correct?

A No.

Q Now, is it correct that before the carrying out of anti-Jewish measures the matter was first discussed with members of the SD?

A I have stated that in my department, in my section,

H1012 - 0037

and in AMT III, Jewish questions were never dealt with.

Q Is it correct that executive measures being carried out have been discussed with SD for instance, insofar as Jewish movements are concerned in occupied territories?

A (..the witness starts an explanation)

Q Now, I would like to have a clear answer first -- yes or no?

A They were not discussed, but I cannot answer such a question with yes or no.

Q Have there been any discussions concerning measures of resettlement of minorities or deportation of certain groups. Please answer this question, yes or no. Discussion with AMT IV, or other offices, and AMT III?

A Yes, sir.

Q These discussions have been held also between AMT IV, or other offices dealing with -- and AMT III -- dealing with the fight of opposition in the occupied territories?

A Yes, the AMT III B, SD has been asked, as I said before, about the Intelligence reports regarding the situation which AMT III has had.

Q Is it correct that the SD sent information and reports about the practical and psychological results of the deportation of Jews into different occupied territories?

A No.

H1012 - 0038

Q So you maintain that the SD, which was in charge of the authorities and information about all fields of public life in the different countries ignored completely in its reports deportation and liquidation of millions of Jews?

A I testified this morning already, that the matter of dealing with the entire Jewish problem, including the Intelligence service, was a task of AMT IV.

Q Do you remember SS Hauptsturmfuehrer Hummitzsch? Do you remember that he was representing your office in certain discussions concerning deportation of Jews and other national inferior groups?

A After all these years I cannot recall in which discussions this man represented me.

Q Have you any connection in your office with any office for race and settlement?

A Just like it was the case with any otheroffice or authority, we had official connection with them in our capacity as Intelligence Service.

Q Was yourgroup consulted in certain measures to be carried out by those questions of race and settlement?

A The race and settlement central office of the SS, according to my knowledge, did not have to take any executive measures.

Q On general principles according to this main office, your work was the same - by which your grup, 3B1 or 3B3, and 3B4 - immigration and settlement were working also?

H1012 - 0039

A The race and settlement central office was a central office within the entire structure of the SS, and was given definite assignments by the Reichsfuehrer SS. These assignments differed entirely from those which AMT III received which was with AMT IV Intelligence Service.

Q Are you a doctor?

A Yes.

Q You believed in the race theory of the Nazi Party, did you not?

A As physician and as biologist I know the basis of race theory.

Q This was the basis also of the activity for race and settlement, was it not?

A Yes, sir.

Q And you had the same rules for distinguishing certain races to be eliminated from the German race, had you not?

A I do not know what the prosecution means by elimination of certain races from the German people.

Q You carried out a policy in trying to eliminate certain races from public life, did you not?

A If you ask me whether the SD wanted that, the answer is no, because that was not within its co mpetence. But if you refer to me personally....

Q No, I am not interested in you personally. Now, did the SD collaborate in this racial policy or not?

H1012 - 0040

A The SD only cared for basic principles of racial theory, and about that has by way of Intelligence Service made reports. I have described that, and I have described the duties of 3B3.

Q But you have not discussed when the program of the SD was set up?

A I do not know what deportation of racial groups are referred to here.

Q You know certainly whether or not the SD had collaborated in the deportation of certain groups.

A I have underlined several times today that the SD was not an executive organization, and consequently could not.

Q And your Group 3B1, for instance, did not participate in any discussion to fix up the practical rules of deportation?

A If the SD has participated in hundreds of discussions with all the various authorities of the Reich because he was consulted as an Intelligence Service regarding the Intelligence Service reports, I am no longer in a position to say; but if the SD as the highest intelligence authority in its capacity of SD has participated in such conferences it does not mean that it participated in the executive measures.

H1012 - 0041

Q Why has he participated in the discussion of those things?

A I have delineated that in my answer -- because it belongs to an extensive Intelligence Service. If a high authority for the State asks him for his opinion concerning the situation in a certain sphere of life he must give the information.

Q It is only sufficient to give information once the theory has been carried out, is that correct?

A I believe that the representative of the prosecution misunderstands the essence of the Intelligence Service. It is not the task of an Intelligence Service to follow the events, but by virtue of his representatives on the basis of his experience under circumstances to be consulted before and to give information before.

Q For what reason, to be consulted before?

A Because an Intelligence Service, if the Party and State organized an Intelligence Service, and pay him, they will consult them when they need them.

Q How is this information to be useful before the carrying out of the measures?

A It may be useful because the SD, on the basis of similar events which have happened before, has certain experiences derived from former events, which one wishes to hear now on the occasion of this new evidence.

H1012 - 0042

Q So it was the task of the Information Service, for instance, to tell whether or not certain groups could be maintained within the Reich or not?

A No.

Q What was his task in this matter?

A The duties of the Intelligence Service in Section 3B was: How the different groups in their peculiarities and in their forms reflected themselves in the different groups of the German people, and the opinion, attitude, and morale of these individual groups.

Q I show you Document R114, USA 314, documents on the conference about the resettlement and deportation of persons and it has been decided at this conference that certain groups such as colored persons - Negroes, Gypsies, Jews, from half-Jews on, people of foreign race and foreign speaking, and so on, have to be expulsed. Do you imagine that this conference was interesting also to your group?

A May I see the document?

Q I am sorry, but I ask you the question -- whether this conference could interest also your group?

A It was not my group, but the office from which this conference emanated was probably interested in the participation by the SD.

Q At this conference those matters dealt with -- it concerned race and Folkdom, did they not?

H1012 - 0043

A Yes, after what the prosecution has said to me, yes.

Q This explains the presence of Mr. ~~Bermann (?)~~ Hunnitzsch at this conference, does it not?

A Yes, because the prosecutor has read from the document that it deals with a resettlement or deportation of Alsacians, and that was a problem which Sector 3B1 Folkdom was dealt with in Intelligence Service manner.

Q You told us this morning you got in your section special missions, did you not?

A Yes, sir.

Q What was the kind of those special missions?

A This can be derived from the discussion this morning. It was a matter of reports which were not purely of an Intelligence Service nature, but expert opinions pertaining to certain questions of Folkdom.

Q Did you proceed with those missions from AMT IV.

A No.

Q Did you receive them from the SS main office?

A No.

Q From a different SS office?

A No.

Q From whom did you receive them?

A These special missions originated with the Reichskommissar zur Festigungdeutschen.

H1012 - 0044

Q And you got those missions also from other offices?

A No. In that case it was a matter for the Intelligence Service.

Q You never got information from the Ministry of Agriculture and Food?

A 3B had no connection with that.

Q No reports have been made on the situation of works outside of Germany?

A Yes, but not expert opinions. They were Intelligence Service reports pertaining to situation, moral attitude of the foreign enterprises.

Q And your reports gave conclusions, for instance, how to obtain efficiency from foreign workers?

A Oh, yes, they did.

Q So your office gave conclusions and practical suggestions?

A If by way of the Intelligence Service channels practical suggestions reached us they were transferred to the proper authorities.

Q Very well. You told us that the special Einsatzkommandos in the East had Section IV, did you not?

A Yes.

Q And also Section 3 corresponding to AMT III?

A Yes, but they were not in all occupied territories.

H1012 - 0045

Q Was it so in the West?

A The Einsatzkommandos in France did not contain a Section III.

Q What do you understand by Einsatzkommandos in France?

A There was a kommando of the SIPO and the SD in Paris, and subordinate to him there were various Einsatzkommandos.

Q And the office of the BDS in Paris had an AMT III, had they not?

A Yes.

Q Now, in the East. How was the organization in the East.

A In the East the kommandos of the Security Police also had a Section III.

Q And the different sections were coordinated by the commander of the SIPO and SD, were they not?

A No. Only in organizational questions, not in connection with factors.

Q Had it anything to do with prisons?

A No.

Q How can you explain that in Document L-53, USA-291 was said that the prisons have to be cleared as fast as possible by interrogating very shortly prisoners and by transferring

H1012 - 0046

them as fast as possible into the Concentration Camps. This document has been sent not only to Section IV, but also to Section III and Section V. And these questions of prisons in Concentration Camps had nothing to do, of course, according to you, with the organization SD?

(Here the witness examines the document handed to him.)

A Why the Commander of the Security Police has issued this order to the chief of Section III, I do not know. It has nothing to do with the vital tasks of the SD.

Q You maintain also that the SD AMT III had nothing to do with the execution of Russian prisoners of war?

A Yes.

Q And you can't explain, of course, why Document 115-PS, USA-244 -- about the Russian prisoners of war -- dealing with the transportation of these prisoners who were to be shot in Concentration Camps. Why if this document has been sent not only to AMT IV but also to AMT III, must be a mistake also? This document is signed by Mueller, chief of AMT IV.

A Yes, sir. I am able to give information on this one. The distribution key shows those offices who have official connection with it. And then follows offices who received it for information only, and there is listed the chief of AMT III. Which means that AMT III had nothing

H1012 – 0047

to do with putting it into practice.

Q But it was sent to the inspector of SIPO and SD, was it not?

A For information, yes.

Q Was the inspector of SD permitted to eventually give his SD offices this document?

A No. That was not the duty of the inspector of the SIPO and of the SD. This is shown by the State police offices whose duties it was to take State executive measures addressed specifically as executive offices. The inspector of the SIPO and the SD did not have to issue any order or directive in factual matters of the RSHA.

Q So AMT III received orders even of matters AMT III was not dealing with directly, is that right?

A Yes, in this case they received that order for information.

Q So AMT III knew about the execution of Soviet prisoners of war?

A Not AMT III, but only the person who has received that copy.

Q In this document it is said that the population did not like this sort of transportation. Anyhow, it was to be worded so that population was not to be aware of half-starved half dead prisoners of war. This reaction of the population should have been reported by the SD, should it not?

H1012 -0048

A Yes. They did report it. The V-men of the SD have on the basis of the fact that due to the conditions prevailing in the winter of 1941 in the Eastern territories Russian prisoners arrived in a very bad situation, reported it. These report arrived at AMT III. We transferred them to the responsible authorities. I stated this morning that the SD has dealt with prisoners of war in the area of living spheres.

DR GAWLIK:

I regret to have to object. Not for factual reasons but for reasons of form. The ruling exists that any hearing is to last only three hours. My hearing lasted two hours. The prosecution's hearing already has lasted two hours. There are three more witnesses to be heard until Saturday. I must fear that my last witness will be omitted, and that I consequently will be limited in my defense of the SD if the time... I will not object if the hearing of the three witnesses will be continued until Monday if necessary, otherwise I must object for formal reasons.

MR MONNERAY:

I will be finished in a few more minutes.

THE COMMISSIONER:

The time for any certain person has not been determined beforehand. I am of the opinion with the lawyer that the hearing of the witness is too long. I will simply say that we must move quickly now. The prosecution and

H1012 - 0049

the defense. And since the lawyer has admitted that he has interrogated the witness for two hours... this is a question of interior settlement and I must ask for everyone's good will.

MR MONNERAY:

Q So your Service reported about the transportation of Soviet prisoners of war? These reports were sent to the Gestapo, were they not?

A No. They were not sent to the Gestapo because at first the Gestapo had nothing to do with this.

Q Where have those reports been sent?

A In 1941 the chief of the prisoners of war was a part of the command of the Wehrmacht.

Q So your reports were sent to the Army?

A I believe so. But I don't want to state after four years under oath...

MR MONNERAY:

I have no further questions.

* * *

LT CMDR HARRIS:

In the interest of saving time, with which I am in complete agreement, I will simply submit one or two documents to the witness.

This Document R-112, USA 309, which is the document discussed this morning wherein reference is made to the joint request of the Gestapo and the SD for applications for orders

H1012 - 0050

for protective custody in Concentration Camps. You testified that you did not believe that this order was carried out.

A I doubt the fact that on the basis of this order members of the nationality list four were either taken into protective custody or put into Concentration Camps.

Q I want to just call your attention to the last paragraph, 6, which reads as follows:

"In fulfillment of their duty to examine continually the success of the re-germanization action (Section 3 of the decree of 60.2.42) the Security Service superior offices in Germany proper have to intervene in the same way as they put in continuously report on Poles suitable for germanization to the Reich main security offices of the Higher SS and police leaders. They have to assist to appoint "councels" as to questions of race (in charge of Department 3B) whenever possible."...

A Yes.

Q Now I want to pass to another subject very briefly. That is, this matter of Einsatz groups. Now, you testified that to your knowledge the SD had nothing to do with the shooting of Jews.

A Yes, sir.

Q Were you a member of the Einsatz Group?

A No.

Q I will show you Document 2620PS, and ask you

H1012-0051

if you recognize the signature at the bottom of this document.

A Yes, sir.

Q Whose signature is that?

A That is the Chief of Section III, Ohlendorf's signature.

Q That was your chief, was it not?

A Yes.

Q You knew that Ohlendorf himself was the leader of the Einsatz Group? Did you not? Answer this, yes or no, please.

~~. . . Nothing . . .~~ NO answer

~~xxxxxxxxx~~ Q.
~~(. . .continuing)~~ All of us know the testimony of Ohlendorf in court. To speed the proceedings I am asking defense counsel whether they have objection to my referring to this paper of Ohlendorf?

NO OBJECTION.

LT CMDR HARRIS

(...continuing) I want to read into the record this affidavit of Ohlendorf beginning with the third paragraph. "When the German Army invaded Russia I was leader of the Einsatz Group D in the Southern Section, and in the course of the year during which I was leader of the Einsatz Group D it liquidated approximately 90,000 men, women and children. The majority of those liquidated were Jews. There were

H1012-0052

among them some others too. In the implementation of this Einsatz Commandos, ****program Einsatz Groups were subdivided into/* * * * and into still smaller units, the so-called **** Commandos and **** commandos, usually the smaller used ****

The units selected for this task would enter a village or city and order the prominent citizens to call together all Jews for the purpose of resettlement. They were requested to hand over their valuables to the leaders of the unit and shortly before the execution to surrender their outer ~~xxxxx~~ clothing. The men, women and children were lead to a place of execution which in most cases was located in a very deeply located ditch. Then they were shot kneeling or standing and the corps thrown into the ditch."....

Now, I won't read any further. I just read this for the purpose of illustration.

If members of the SD like Ohlendorf and others actually lead those Einsatz groups and the subordinate units of Einsatz groups which rounded up Jews, stole their clothing and murdered them, don't you agree that perhaps you were not exactly correct when you said members of the SD had nothing to do with the execution of Jews?

A It did not belong to the orders which were furnished the members of AMT III for their employment in the East.

H1012-0053

Q The question is not as to whether this was consistent with general functions of gathering intelligence. I am asking you whether you not now realize that your statement that members of the SD had nothing to do with shooting was wrong? ... I am giving you an opportunity to correct your testimony if you want to. In view of the positive evidence that somebody would really know it.

A If members of the SD took part in the execution of Jews or other people they did not do that by way of the Intelligence Service orders, but by the orders of the Commander during their Einsatz activities.

Q Yes, that's true. When these reports came in, the actions of the Einsatz Groups, of course your section received a copy as you already testified. Then, AMT III, IV, and perhaps other departments in the RSHA pooled their information into a final report which was distributed to interested persons?

A No.

Q Well, let me show you Document PS-3943, USA-864, which is a collection of weekly reports of the activities of Einsatz Groups, and I particularly invite your attention to the fact that one section in each of these reports deals with the living spheres... Now, you find the fact that this information is reported, don't you?

A Yes.

H1012-0054

Q You might know that the front page of that copy was distributed to the Reichskommissar? Certainly nobody else would have trusted the material for that report on the living spheres (?) other than AMT III?

A Yes, 3B.

Q Yes, 3B.

* * *

H1012-0055

(Cross Examination continued)

BY LT COMDR HARRIS:

Q. Q. There are just two things I want to read into the record, that is first, Report No. 4 of the Krimtschaks (approximately 6000) who were generally counted to be Jews who have lived for the greater part in Sinferopol (2500) and in Karasubarsai, their annihilation together with that of the real Jews and gypsies in the Crimea took p lace essentially in the beginning of December 1941. The fact that the Krimtschaks and the gypsies shared the fate of the Jews did not particularly excite the fight." The SD of course would the agency which reported how the population reacted to the murder of the Krimtschaks and gypsies as well as the Jews?

A. In connection with that I stated this morning that the reports of the Grippen, xxxxxxx that these reports did not come regularly in the Section 3.

Q. That is not the answer to the question. I am just asking you whether it would not be within the province of the interest of the SD to report upon the public reaction to the murder of the Krimtschaks xxxxx and gypsies as well as to the customary murder of Jews? You can answer that Yes or No, then explain. xxxxxxx The answer is yes?

A. It is not Yes. I have answered that question this morning. You will find it in the record.

No further questions.

BY COL. ORLOV:

Q. Were you in the East yourself?

BY THE COMMISSIONER: Col. Orlov, how many questions do you have?

I have 3 or 4 questions.

BY COL ORLOV:

Q. Did you take official trip to the East?

A. Yes, to the Ukraine.

Q. When was that?

H1012-0056

A. In June 1942.

Q. Did you visit Ohlendorf?

A. No, I was not in the Crimea. . I took sick and remained sick in Mariopol.

Q. Where did you get your reports from?

A. The reports from the East?

Q. No, the reports in General.

A. We received our reports from the SD Leitabschnitten and the SD Abschnitten.

Q. Did you have your own agents?

A. The SD did not work with agents, but with V men.

BY THE DEFENSE: I have two questions.

Q. You stated in the cross examination that the SD has assisted the party in reaching their goal. I now ask you was this considered to be a conspiracy for the purpose of committing crimes against peace, war crimes, and crimes against humanity?

A. No.

Q. You stated that there was a possibility that the SD participated in the conferences where the deportations and shootings were discussed?

A. Deportations were discussed, yes.

Q. I now ask you what was the attitude of the SD during these conferences. Did it support measures executed in this way or did it take an apposing attitude on the basis of reports as received?

MR. MONNERAY: I object to this question since it seems to be too general. Concentrate and ask complete questions.

BY THE DEFENSE:

Q. I am asking you regarding the attitude of the SD pertaining to those

H1012-0057

conferences which were discussed during the cross examination.

BY THE COMMISSIONER: The question, though it is general, it is a question that has been raised by the prosecution and may be heard by the witness.

WITNESS: Will you kindly repeat the question.

BY THE DEFENSE:

Q. What was the attitude of the SD regarding deportations? Did he support those measures or did he take an opposing attitude?

A. Generally, the SD rejected the resettlement and deportation of foreigners since it disquieted the population; it disturbed the economic war measures and instead of contributing to quiet, to calming the population, brought about a hostile attitude on the part of the population concerned.

No further questions. Witness excused.

Court Recessed at 1540 hours.

H1012-0058

The foregoing is a true and correct transcript of the testimony of DR. HANS EHLICH, taken on 4 July 1946.

Liliane A Abens
Reporter (pages 1 thru 15)

R Evelyn M. Roberts
REPORTER (pages 54-56)

S/ Marjorie Shumway
Reporter (pages 16-31)

B Genevieve Dilsi
Reporter (pages 32 -53)

CERTIFIED TO:

Amsneave
COMMISSIONER

Martin Haran
COMMISSIONER

H1012-0059

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

4 July 1946.

(The Commission convened at 1015 hours.)

COMMISSIONER:

Captain Joseph Tubridy.

THE S.D.

HANS EHLICH, a witness, took the stand and testified as follows:

CAPT. TUBRIDY: Will the witness stand, please, raise your right hand, and repeat after me:

I swear by God, the Almight and Omniscient, that I will speak the pure truth, and will withhold and add nothing.

Be. seated please. Your witness Dr. Gawlik.

DIRECT EXAMINATION

DR. GAWLIK: I wish to prove by the interrogation of Dr. Ehlich that Section III-B of the S.D. did not have the general plan and the goals of this plan, tasks and activities, to participate in actions which are characterized as criminal under Article 6 of the Statutes, and in connection with this.

First, that since the establishment of the R.S.H.A., that is, since 1939, the S.D. no longer took care of Jewish problems and consequently did not participate in the Jewish persecution. Exhibit 78, Trial Brief Gestapo, SD, Page 53 of the German translation.

Second, that the activities of Group III-B were no directed to conspiracy of committing crimes against peace, war crimes, and crimes against humanoty.

Third, the SD did not have the responsibility for erecting or putting people into concentration camps, and for the trasnferring of racially and politically undesirable individuals into concentration camps, or for establishing camps for forced labor. Page 43 of the German translation.

H1012-0060

Fourth, that the SD, Section III, RSHA, did not commit any expansion policies with the purpose of committing crimes against peace, war crimes, crimes against humanity. SS IIIG.

Fifth, that the SD did not commit any shooting of politically or racially undesirable individuals, and within the SD, only a small circle of individuals charged with intelligence work, as informed of that. 6-A, Trial Brief Gestapo SD, Page 21 of the German translation.

Sixth, that the SD was not used for the purpose of executing the bullet order. III-C of the Trial Brief against SD and Gestapo, Page 42, German translation.

Seventh, that the SD did not participate in the deportation of nationals of occupied territories for the purpose of forced labor, and that they did not supervise people doing compulsory labor. Exhibit V-1-e-, Page 48 of the Trial Brief, German Translation.

Eighth, that the SD was no competent for the execution of the Night and Fog decree. VI-G, Page 48 of the Trial Brief, German translation.

Ninth, to refute the charges of the Prosecution that the SD has participated by way of the Immigration Central Office, in the evacuation of foreigners. Trial Brief against SS, III-G, Page 36 of the German translation.

BY DR. GAWLIK:

Q. First, I shall ask some questions to prove the competench of the witness. What was your last position in the RSHA?

A. My last position was that of Group leader, III-B, Section III, SD Interior.

Q. What problems did this group deal with?

A. Section III-B dealt with the problems of population, policies, public hygiene, and problems of Volkdum.

Q. When did you start in this position?

A. Since the beginning of 1940.

Q. What was hour position before this time?

A. Before this time I was expert of the Section for racial policies and public hygiene.

H1012-0061

Q. What was your function as Gruppenlieter?

A. My functions consisted of First, Personnel and Organization of the Group. I dealt with the principles and basic problems pertinent to this group. I represented the group in organizational and factual problems. Besides that, I was Section Chief of Section III-B, the section dealing with racial policies and public hygiene.

Q. For what period are you competent to testify for Group III-B?

A. Since the Group was established in 1940.

Q. I shall now ask an introductory question.

M. MONNERAY: Just to make it clear, before 1940 he told us he dealt with racial policies. Was this in the RSHA also?

WITNESS: Yes, within the Amt III, Group III-B was established in 1940. The section for Racial Policies and Public Hygiene was existing even before that time.

BY DR. GAWLIK:

Q. Did the SD deal ith a Secti . III-B-1, Volkdum work, before 1940?

A. Yes.

Q. Are you competent to testify in regard to this work also?

A. On the basis of the most important records available.

Q. Did the Section III-B-2, which dealt with minorities, dealt with by the SD before 1940?

A. Yes.

Q. Are you competent to testify about that also?

A. Yes, on the basis of the most important records.

Q. Was Section III-B also dealt with before 1940?

A. Yes, I answered that.

Q. Are you competent to testify to that also?

A. Yes.

Q. Sectors III-B-4, and III-B-5, were they also dealt with before 1940?

A. No.

Q. My questuibs niw refer to Pointl. Did you organize Section III-B-3, Public Hygiene?

A. Yes, I can say that I was the one who organized that Sector.

Q. Did this sector deal with Jewish problems?

H1012-0062

A. No, this sector did not deal with Jewish problems. In Section III, no Sector dealt with Jewish problems.

Q. The Prosecution alleges that the SD too has participated in a policy of extermination of foreign races. What have you to say about that?

A. During my activity in Section III, I never heard of a policy of extermination being executed by the SD. Section III did not have the task of dealin with the Jewish problem. I have never heard anything regarding the extermination of any other races.

Q. Will you please describe briefly the functions of III-B-3, Race and Public Hygiene?

A. The tasks of Section III-B-3 were: First, intelligence service dealin with basic scientific questi ns of racial policies, population policies, ancestry research and ancestry care. Second, intelligence service concerning questions of public hygiene, organization of public health measures, basic questions of the pharmacies and hospitals.

Q. What do you mean when you say intelligence service?

A. Purely intelligence service duties are: Gathering and collecting of reports regarding the moral attitude and opinions of the population towards events and measures, and decress of the leading authorities; evaluati n of such reports and the furnishing of information to the competent authorities of the Party and State.

Q. I now go over Point 2. What was the function of Group III-B-1 which you directed?

A. The functi ns of Group III-B-1 were:

Intelligence service in racial policies and public hygiene; intelligence service concerning the problems of Volkdum, that is to say, gathering informatin regarding the peculiarities and the different customs of the individual peoples in relation to their spheres of life.

Q. What do you understand by Volkdum?

A. Volkdum is a people in itself, its peculiarities and its forms. I also wish to explain the concept "Volkdum". Volk is a unit resulting from a historical development, one cultural.....

CAPT. TUBRIDY: Just a minute. Do we need this Dr. Gawlik? We don't need any definition of sociological terms.

H1012-0063

BY DR. GAWLIK:

Q. What was the goal and purpose of the intelligence work of Group III-B?

A. The goal of the Group III-B was the collecting of information regarding spheres of life. The purpose was to inform the competent leading authorities.

Q. What was the purpose of informing these authorities?? Was the purpose to aid people who had conspired to commit crimes against peace, war crimes, and crimes against humanity?

LT. CMDR. HARRIS: I object to that question as being leading. I think the first part of the question is perfectly proper.

DR. GAWLIK: I shall withdraw the second part.

WITNESS: Will you please repeat the question?

BY DR. GAWLIK:

Q. What was the purpose of informing the authorities?

A. The purpose was to inform the leading authorities of the effect of these measures and decrees issued by the authorities on the population and what the attitude of the population was toward these decrees.

Q. That is the same thing which I have asked you. What was the purpose of informing them?

A. They were informed for the purpose of issuing new decrees, of taking new measures to reshape certain developments, or to change them.

Q. Were these to be measures for the purpose of committing crimes against the peace, war crimes, and crimes against humanity?

M. MONNERAY: I am sorry to object, but I have the same objection as Commander Harris.

DR. GAWLIK: I shall withdraw the question.

CAPT. TUBRIDY: Just a minute. I don't see that it makes so very much difference, because his observations do not carry any weight anyway.

H1012-0064

M. MONNERAY: Perhaps the defense counsel could put the question in a different way.

CAPT. TUBRIDY: I think, Dr. Gawlik, that you are aware of the matter, and you may proceed.

BY DR. GAWLIK:

Q. What kind of measures were to be taken? Please answer this question from the point of view of the SD.

A. The only task of the SD was that of informing the authorities objectively of what information they had gathered. This did not give him the authority of decisions or influence on the decisions regarding individuals or groups of individuals.

Q. Did you get any requests from other offices in connection with your work.

A. Yes, we did receive them.

Q. Was that a larger part of your work?

A. No, generally the orders emanated from the current work.

Q. Did you manage the work of these subordinate Leitabschnittes and Abschnittes on your own initiative or did you receive directives?

A. The directives usually ensued from the current work but we also received basic directives. All directives to subordinate offices were by way of the chief of Sector III.

Q. What were the general directives?

A. The general directives were, briefly, First, the SD had no executive authority, but merely intelligence service duties. Secondly, particularly important for Section III-B is the work pertaining to the observations of formations, and peculiarities of life, and the evaluation of this significant difference between peoples.

Q. I now turn to point 3. Will you describe briefly the activities of III-B-1, Volkdum work?

A. It was the task of Sector III-B-1, to take care of intelligence service regarding German Volk groups and regarding the German groups in the incorporated and occupied territories. Further than that, Sector III-B-1

H1012-0065

received special assignments from the highest authorities in this field which was the Reich Commissioner for German Volkdum. These special assignments were for expert opinions within the sphere of Volkdum because during the war they lacked sufficient experts. This, however, was an assignment which did not strictly belong within the working sphere of the SD.

Q. I now will show you document R-112. Will you please look at the directive dated July 1, 1942. Are you acquainted with this directive?

A. Yes.

Q. Was that an intelligence service assignment of the SD, Sector III?

A. No.

Q. On the basis of this directive, what was the purpose of inserting Sector III into the SD?

A. This directive deals with the resettlement of members of Section IV of the German Peoples list. The dealing with the members of Section IV of the German Peoples List who had lived in Poland before the war and who had been active, though they were Germans, against the other Germans was on the basis of directives and was an affair of the SDAPO offices. In every case, these individuals were to be taken into protective custody, but since they were problems pertaining to Volkdum and the reconversion of these peoples to the German Volkdum, expert opinions were desired for this special case where peoples of Volkdum were concerned. This special assignment was given to III-B of the SD on the basis of this directive.

Q. Was the SD or the SD Leitabschnitt, on the basis of this directive, competent for protective custody or for the throwing into concentration camps of an individual?

LT. CMDR. HARRIS: I think I object to the question on the grounds that it seeks to contradict the express language of the directive.

CAPT. TUBRIDY: May I see the directive? I think he may answer and we will reserve the subject matter for cross examination.

WITNESS: No, this was not the task for the SD for the directive states that "The expert opinion of the SD is to be given before", and I repeat "before the decision is made by the Gestapo."

H1012-0066

LT. CMDR. HARRIS: Just a minute. There are you reading from the document? I don't mind the witness reading from the document. I submit that the statement of the witness is inconsistent with the wording of the documents itself, and therefore ask that the paragraph upon which he relies be read in the true context of the document.

CAPT. TUBRIDY: Will you read that section of the document which is pertinent here?

LT. CMDR. HARRIS: That is paragraph 4.

INTERPRETER: The racial tasks having been completed, the leaders of the State Police Superior Offices and the leaders of the Superior State Offices, the Departments in the Security Offices, the III-B offices, will together assemble the material available and will apply them in particularly difficult cases. The dossiers are first to be submitted by security offices Department III and III-B. The decision of the latter office then will be forwarded to the competent State Superior Offices.

DR. GAVLIK: Witness, you have heard this paragraph?

WITNESS: Yes.

H1012-0067

BY DR. GAWLIK:

Q Will you please elucidate the statement?

A The English translation which was just read had left out something which appears in the original German.

Paragraph 4 indicates that Gestapo examination and decisions of the case differs from the examination of the Volkdum problem by the experts of the SD. If that would not have been the case, one would not have needed the expert opinions of the SD. The SD never could apply for protective custody or for the transferring into the concentration camps. Only the NSDAP could do that. That is why paragraph 4 prescribes that the expert opinion on the Volkdum problem of the RSHA III-B has to return to the STATE SDAPO who has dealt with the case previously. It was up to them to continue to deal with the case.

Q So, what was the exact participation in the work of the measures mentioned here in paragraph 4?

A The participation of the SD consisted in rendering an expert opinion regarding the Volkdum problem in the particular case.

Q Perhaps you can give us an example.

A I canonly construct a theorctical example since I do not know a single practical case where the SD was asked for an expert opinion as elucidated in this directive.

LT. CMDR. HARRIS: Then, if the witness is not qualified to give an example I do not think he should give one.

DR. GAWLIK: I want to withdraw the question and put another one to you.

BY DR. GAWLIK:

Q Do you want to say that this directive was not executed in practice?

A Yes.

Q What intelligence service information was received by III-B-1, Volkdum work?

A III-B-1 substantially received information regarding the peculiarities of German Volkdum groups. Particularly in the spheres of life, cooperations, schools, cultural problems, etc.

H1012-0068

Q What was the purpose of this information that you received?

A The purpose of receiving such information was to inform the competent authorities.

Q Was that a preparation for the incorporation of territories where foreign nationalities of German Volkdum lived?

A No, it was merely a matter of having the leading authorities receive such information.

Q I now turn to point 4. What were the activities of Sector III-B-5, occupied territories?

A The task of III-B-5 was to gather information concerning the different peoples in the occupied territories in their most essential forms of life. Sector III-B-5 was particularly used as an information office for all the other sectors of Section III.

Q Were there any SD offices in the occupied territories?

A Yes, the Commissars of the SIPO and of the SD had Section III attached to it. Not in all occupied territories, however.

Q Did these offices organizationally belong to Section III or were they a special organization?

A Organizationally, these departments did not belong to Section III. They were only subordinate to them in factual matters.

Q In your capacity as chief of III B, to whom also was subordinated the III-B-5 offices in the occupied territories, were you acquainted with the activities of the Einsatzgruppen?

A Yes, I was acquainted with the activities of the Einsatzgrupps, in partifular where it was a matter of activities of the Section III.

Q Were the members of the SD active in these Einsatz Groups?

A Yes.

Q Did you receive reports from these members of the SD?

A Yes.

Q What kind of reports did you get?

A These were the same sort of intelligence reports regarding the spheres of life which were also furnished in the interior.

Q Did these reports show that the Einsatz Groups had killed a great number of persons?

H1012-0069

A I have not read anything in the reports of Section III of the SD pertaining to mass exterminations of peoples in the occupied territories. Reports in that respect were the affairs of Section IV or Section IV of the RSHA.

M. MONNERAY: I am sorry, I did not understand. You said first, Section IV and afterwards, you said Amt IV. What is the difference?

WITNESS: The Section IV is with the Einsatz Group. The Amt IV is with RSHA.

BY DR. GAWLIK:

Q The activities of the Einsatz Groups must have become public property of the population in occupied territories and consequently must have had an effect on their morale. Did the members of the SD, in reporting this, tell of the effect on the morale of the peoples in theoccupied territories?

A Yes, some of the reports of the SD to some departments did have a report on the effect on the morale of the shooting of Bolshevik Jewish people.

Q What was said about the shootings in the years 1941 to 1945?

A In theyears 1941 to 1943, we received occasional reports, partly that the population deplored these shootings entirely, and that in some territories, I hear recall reports from Lithuania and some from Ruthania, some parts of the population participated actively in these shootings. The years 1943, 1944 and 1945 did not bring any reports.

Q Who were the persons, individuals, in theSD, Amt III, who became aware of these reports?

A Only persons immediately dealing with these affairs knew of these reports.

Q Can you give us an approximate number?

A In my group, perhaps three, but at the very most, four persons. There were approximately 90 persons in the group.

Q Did the members of the subordinate offices of the Leitabschnitt of the Branch Office and the confidentail agents become acquainted with these reports?

A No.

H1012-0070

Q Did you, as chief of Group III, issue any directives for the shooting of Bolshevik individuals?

A No.

Q Was the SD at all competent for that?

A No, the SD was an intelligence service.

Q How far did the SD deal with the shooting of persons in the East?

A With the shooting itself, it had nothing to do. Only with the effects had asI testified previously.

Q What were the consequences of such reports regarding the effects on the morale of the population?

A These reports were used for the information of the competent departments of Amt IV.

Q Did you receive these reports regularly from the Einsatz Groups?

A No, these reports came irregularly.

Q I will show you the document L-180. It is a report of Einsatz Group A, dated September, 1941. This report says that mass shootings did take place. Do you know this report and was this report submitted to you at that time?

A I do not know the entire report. I did not see the original to its complete extent.

Q Did you receive any parts of it?

A I did not receive any parts of it I am sure, because it was not permitted to be taken apart. But I probably was instructed by the competent experts as these are matters concerning the intelligence service. But for that, I would have to read the whole report.

Q Who were thecompetent experts?

A At the time, the competent experts was III-B-1-e.

Q If the expert of III-B- had it, it must have passed to your desk.

A No. If, for example, I was not present when the report arrived, my deputy chief of the chief of the department had the authority to sign for the top secret matter and to take it so that I did not see or receive every report that arrived at Group III-B.

Q Did these reports come to AMT III?

H1012-0071

LT. CMDR. HARRIS: I submit that that question be changed. I think he said III-B-1-e.

CAPT. TUBRIDY: Yes, I think that that was the response.

BY DR. GAWLIK:

Q Did the entire report arrive at III-B-1-e or only parts of it?

A I believe that I answered that question because I stated that a top secret matter could not be pulled apart.

Q Did Amt III use gas wagons?

LT. CMDR. HARRIS: I am going to object to that because it is perfectly obvious that the witness does not know anything about the Einsatz Groups. This matter has been covered so many times that it is a complete waste of time.

DR. GAWLIK: I haven't asked any questions concerning the gas wagons I did not put any questions to any witnesses concerning the gas wagons. By the way, this is the witness who has dealt with the affairs of occupied territories in Amt III.

CAPT. TUBRIDY: Was he ever inthe Eastern territories?

DR. GAWLIK: No. I am asking from the point of view of Amt III.

CAPT. TUBRIDY: He worked in the office and was unaware of what was going on in the field. The point is he is hardly in a position to state whether or not these wagons were used.

DR. GAWLIK: I shall submit the question as follows: Did Amt III issue any directives to employ gas wagons?

WITNESS: No.

BY DR. GAWLIK:

Q Did the intelligence service receive any reports concerning the employment of gas wagons?

A No.

DR. GAWLIK: I now come to point 5.

CAPT. TUBRIDY: We will take a 10 minute recess now, Dr. Gawlik.

(A short recess was taken).

H1012-0072

DIRECT EXAMINATION RESUMED AT 1145 HOURS

CAPT. TUBRIDY: I think we can resume.

BY DR. GAWLIK:

Q I now turn to Point 5. Did you know of the agreement to exterminate Russian Prisoners of War before the Russian Campaig took place?

A No.

Q Was the execution of this task one of the duties of the SD?

A If there was such an agreement, then its putting into practice did not belong to the duties of the SD.

Q I now turn to Point 6. I am showing you Document PS 165(the bullet decree, D 569 treatment of Russian Prisoners of War, and PS 1514 transfer of Prisoners of War to the Gestapo. Also SD AMT 3 competent for the execution of these orders.

A No. AD AMT 3 was not competent for the execution of thes(orders.

Q Will you illucidate?

A SD AMT 3 and its subordinate officers did not have any executive duties. The addresses of these decrees do not mention SD AMT 3.

Q Was the SD being utilized for the execution of these orders?

A No. According to my knowledge, no.

Q Did the SD concern itself by way of the Counter-Intelligence Service with Prisoners of War?

A Yes. The SD saw from the perspective of the spheres of life as concerned itself with the Prisoners of War.

Q Can you give us some examples?

A For instance, the affect of Prisoner of War employment on the agricultural production. For another example, the affect of Prisoner of War employment on the rural population in general.

Q Has the SD by way of its reports, initiated or promulgate(treatment of Prisoners of War by contradicting International Law?

A No.

H1012-0073

Q I now turn to Point 7. What was the duties of the SD in the Department 3B2 minorities?

A One can only understand the activities of 3B2 only from the development of the Intelligence Service in war time. Before the war and in the beginning of the war, only minorities living in Germany were dealt with. During the war, all minorities living in Germany and in occupied territories were dealt with from an Intelligence Service point of view.

Q What did you understand by minorities?

A Our definition of minorities was German Nationals who citizenship, professed to their Volkstum, its culture and its language. For instance, Poles living in the Eastern areas of the old Reich.

Q How far did the SD AMT 3 deal with these minorities?

A The SD AMT 3 dealt with these minorities only by way of Intelligence Service regarding the effect on their spheres of life.

Q Did the SD AMT 3 participate in the deportation of Nationals of occupied territory for the purpose of Compulsory labor?

A No.

Q For which territories and for which period can you testify to that?

A For the entire war and for all those territories in which there were Section 3 of the AMT 3.

Q Page 1743 of the German record reads: "The Gestapo of the SD participated on the mass deportation of Nationals of the occupied territories in order to employ them as forced labor." They also handled the penalties dealt out of forced labor. Is that correct?

A No, I haven't heard a thing about that.

Q Did the SD have any punishment authority under compulsory labor?

A No, the SD had no authority to punish because he had no executive powers.

H1012-0074

Q Did the reports of the SD contribute to the deportation?

A No, on the contrary. In numerous cases the reports of the SD regarding living spheres and spheres of life had indicated that a compulsory deportation of foreign workers into Germany would have an unfavorable affect on the efficiency of production, the relationship of the people to each other, and the security of the Reich.

Q Page 1746 of the German record reads: "And in this way the Gestapo and SD retained control over the forced laborers who were all over the Reich." So far has the SD ever exercised any control?

A No.

Q Did AMT 3 regard foreign Nationalists as a group, as an enemy?

A No. The SD merely concerned itself with spheres of life. As in Intelligence Service, as far as foreign workers are concerned there is a decree of the Chief of the Security Police and of the SD dated December 7, 1942. This directive shows clearly the difference between the Counter-Intelligence of the STAPO and the spheres of life Intelligence Service of the SD.

Q I am submitting and showing you Document L 61 dated 26 November 1942. The prosecution has submitted this document in order to prove that the SD did participate, in effect, in the deportation. On the basis of your position in the SD and

H1012-0075

as a Gruppenleiter, will you illucidate?

A. The document mentions the SD only in the context which reads, "Chief of the Security Police and of the SD". There is nothing here about any activity of the SD regarding the execution of the order contained in this letter. But, in effect, the SD has cooperated in the work of this problem. The deportation which this document orders, has not been executed because those reports of the SD for the Reichsfuehrer SS, the Reichsfuehrer in the spring of 1943, had prohibited its execution.

MR. MONNERAY: May we have a copy of this document please?

BY THE WITNESS: I have to add one thing. I myself have signed the teletype to the SD Office in the Generalgovernment which contained the message that the Reichsfuehrer SS cancelled the orders of the deportation.

BY DR. GANLIK:

Q. I now turn to Point 8. I am submitting to you Document L-90. It is the Night and Fog decree. Did the SD execute that decree?

Q. No. This is the first time I am seeing this decree.

Q. Was the SD utilized for the execution of this decree?

A. No. I cannot find anything according to which the SD was utilized.

Q. I now turn to the next point -- Page 36 of the German Transcript, Trial brief against the SS reads as follows: "Immigration Center Offices were erected in order to proceed with evacuations under the supervision of the Chief of the Security Police and of the SD and of the Leiter of the RSHA". Did these Immigration Center Offices have anything to do concerning the work of Volkstum of the SD?

A. I must correct something here. There were no Immigration Center Offices. There was only one Immigration Center Office. This has nothing to do with the evacuation of foreigners. The Immigration Center Office did have something to do with Volkstum work but it had nothing to do with the Intelligence Service of the SD.

Q. What was the aim and the purpose of the Immigration Center Office?

A. Its purpose was the registration and naturalization of the Volkstum Germans returning to the Reich. Its purpose was to take care of all the

H1012-0076

individual channels of this work in one single authority.

Q. To whom was the Immigration Center Office subordinate?

A. The decrees of the Reichsminister of the Interior issued toward the end of October 1938. It was subordinate to the Chief of Security Police and SD.

Q. Did the Immigration Center Office have anything to do with the Intelligence Service of AMT 3 SD?

A. No.

Q. Was it a duty of the Immigration Center Office to care for the settlement of the re-settlers who returned to Germany?

A. No.

Q. Was it a duty of the Immigration Center Office to evacuate or deport foreigners?

A. No. My description of its duties were exhausted.

Q. Did AMT 3 have anything to do with the deportation orevacuation of foreigners?

A. No. The AMT 3-B-B was not to deal with the execution of the evacuation and deportation of foreigners in the occupied territories.

MR. MONNERAY: Does the witness talk about AMT 3 in a general way or AMT-3-3B?

BY THE WITNESS: AMT 3 in all its sections, did of course include 3-B. AMT 3 was concerned only with the Intelligence Service pertaining to all spheres of life. Also those of evacuation and deportation. For example, I previously testified that the evacuations of the Poles around Lublin, Document L-61, was reported by the SD to the Reichsfuehrer SS. Many reports came in from Gauleiter Burgel pertaining to evacuation of French speaking residents of Lorraine into France.

Q. What was the aim and the purpose of the reports pertaining to the deportation of the residents of Lorraine?

A. The purpose of these reports was to stop the deportation entirely, or at least reduce them to a minimum since their SD reports showed that all parts of the population were affected negatively by these deportations.

BY DR. GAWLIK: No further questions.

H1012-0077

CROSS EXAMINATION

BY MR. MONNERAY:

Q. Since when are you a member of the SD?

A. Since February 1, 1937.

Q. And what was your position in the beginning of the activities of the SD.

A. I was a referent.

Q. Where?

A. In what used to be the SD in Hauptamt.

Q. And what was your specialty?

A. I was a referent for referate racial politics and public hygiene.

A. And this group was changed and made a part of 3-B was it not?

A. This department, after AMT 3 was established, was taken into the AMT.

Q. When did you come into the SS?

A. In the year 1932.

Q. What were your functions before entering into the SD?

A. I was a Medical official in the Ministry of the Interior of Saxony.

Q. When did you enter the party?

A. I joined the party November 1931.

Q. Have you always been in Berlin in RSHA or any where else in the local service inside of Germany or outside of Germany?

A. No. I had no other position in the SD except in the RSHA

Q. That was a service of the Intelligence and Information, was it not?

A. Yes.

Q. This Intelligence Service was an Intelligence Service for the Party from the beginning?

A. I cannot testify regarding the period before I entered the SD regarding the organization.

Q. And in 1937 the SD was Party organization, was it not?

A. Yes, but at that time it had already had connections with the State authorities.

Q. So the SD was a political office, was it not.

A. It was the Intelligence Service.

H1012-0078

Q. With a political mission?

A. It was an Intelligence Service mission.

Q. You had to give information to the party, did you not?

A. We have made reports to the Party and in the same way to the State authorities.

Q. The aim of this information was to give material to the Party and the State for their political action, was it not?

A No. The purpose of the work of the SD was to report effectively the attitude, approach and reaction of the masses toward the decrees and measures of the government and to transfer these reports to the competent authorities.

Q You told us already this much. I would like, if you could answer my questions if you sent information to the party, it was in order to help the action of the party, was it not? Please answer me yes or no and afterwards y can give your explanation.

A No because we had no influence on any action taken between the Party on the behalf of our reports.

Q I didn't ask you whether you were influencing the Party. I asked yo whether your action and your information was sent over to the Party in order t collaborate with the political aims of this Party.

A I don't know. I do not see any difference between the last questio and the question which I have answered previously.

Q I ask you only, witness, to answer my question without going into the motive of the question. I ask you only simply, and I think it is a simpl question. Since you have been a member of the Party since 1932 or even before, your action consisted into helping the action of the Party, was it not

A Yes. That is why I was a Party member.

Q Now your activities were intended to help the activity of the State in the same way of the activities of the Party, did they not?

A I testified previously that I was a State Civil Servant in my capacity as a Medical Counsel in the Saxony Ministry of the Interior.

Q And it was necessary as much as possible to identify the general lines of activities of the party and the general lines of the activities of th State, was it not?

A Yes.

Q Now you told us that the SD had no executive powers, did you not?

A Yes.

Q Purely information work?

A Yes.

Q Information work about all kinds of matters important for the genera

H1012-0080

policy of the State and the Party?

A No. Not all possible kinds but only the questions which were put down on theschcme of business pertaining to the different spheres of life.

Q Now your reports tried to find out the general opinion of the people

A Yes.

Q Now the political opinions of people were of course, very important, were they not?

A Yes.

Q So it was necessary to find out their political opinion?

A Yes. Of course. That was the task.

Q It was necessary to find out eventually the people who were not in favor of the new system?

A Yes, of course. Among the apparatus of our co-workers there were many people among the V-Men who did not approve of many things in our program.

Q And it was necessary for you to find out what groups of people who were not in favor and for what reason, in the State and Party?

A We were only a party interested in the groups. If it was a matter of professional groups -- if for example, the teaching profession disapproved of certain measures or decrees of the State or the Party.

Q So if you were not interested so much in groups you were more interested in the individuals, were you not?

A I did not say that we were not interested in groups.

Q So you were interested in both groups and individuals, were you not?

A Yes. The individual as an opinion but not in the individual as a name. An example, the reports of the offices did not read, "Mr. Mueller state but it said "A farmer or a teacher said that".

Q And you have many V-Men in all kind of activities in the nation, did you not?

A Yes.

Q And each V-Man sent to his superior, reports of his own sphere?

A The V-Man reported to the Branch office.

Q All right. And those reports of V-Men had to be necessary to be very concrete or to prove what they were telling?

H1012-0081

A Yes, they had to be proven.

Q So in those reports were put of course, names and concrete proofs i r order to check them eventually?

A Yes. The branch offices did have the names but the report emanati from the branch office to the Aussenstelle no longer contained the name.

Q And each Aussenstelle was keeping its own archives?

A Yes.

Q Now the practical measures to be taken against any branch groups were on the jurisdiction of the Gestapo only, was it not?

A It was not the purpose of any members of the SD nor that of the Branch Office nor of the sector nor of the RSHA to initiate measures to be taken by the Gestapo.

Q Really, I would be very obliged for you to answer my question. I did not ask you whether you intended to promote any action. I merely asked you whether it was in the jurisdiction of the Gestapo to carry executive measures out against objectionists.

A Measures against enemies of the State were matters pertaining to th Gestapo.

Q And the reports coming from the SD were one of the grounds on which eventually the Gestapo offices could know what kind of opposition was in sigh with the State?

A No, because the Gestapo did not receive reports from the SD but had its own net of confidential agents.

Q Did you receive in the RSHA, reports from the inspector of the Sipo and the SD?

A The inspectors of the Sipo and of the SD were merely personnel organizations of the supervision. It was not up to them to make factual reports and they did not make them.

Q The inspector of the SD and Sipo do not agree with you on this point. Now, have you known Dr. Best?

A Yes.

Q . Do you think he is a man who knew quite clear the organization of t German police?

H1012-0082

A Dr. Best resigned from the service of the Sipo in 1940.

BY CAPTAIN TUBRIDY:

Q Will you answer the question "yes" or "no"?

A I cannot testify to any time of the period after 1940.

Q Will you answer the question whether he was correctly informed, "yes" or "no"?

A For the time before 1940, yes.

BY DR. MONNERAY:

Q Now he says in his book that the SD on the one hand and the Sipo on the other hand were competing each other.

A I consider the book by Dr. Best a personal work by Dr. Best and not the official authority book of SD and Sipo.

Q You told us he knew quite perfectly, the organization of the police, did you not?

A That is no reason why he should not mention private opinions in his book which he would like to see put into practise.

Q Very well. Now you told us that 3B, -3-4-5 have not been dealt with by the SD before 1940.

A If you will check the records you will see that I said that 3B3 was dealt with but 4 and 5 was not dealt with.

Q Can you tell us which office was dealing before 1940, with the matter of 4 and 5?

A The Sector 3B-4 was created in the year 1943 because the problems pertaining to citizenship and naturalization were not dealt with in the RSHA. There was a Section 3B-4 which called itself re-settlement. It must be in the order of business 1941.

Q I have the Document L-185, USA 484 which is a plan of organization 1 January 1941 and you could read 3B-4 Immigration and Resettlement.

A I have just said that it was a Plan of Organization which the attorney asked me about before. It was a department in Section 3B-4, Citizenship and Naturalization. This department did not exist previously in the year 1940 when the representative of the prosecution asked me about it. I have answered to the preceding question of the representative of the

H1012-0083

prosecution. There was a department of resettlement. I wanted to answer some more but the representative of the prosecution interrupted me.

Q I only wanted to know whether those departments existed at that time. You told us in AMT 3, nobody was dealing with the Jewish question.

A Yes.

Q And within Germany there were still Jews living in 1941 and 1942, were there not?

A Yes.

Q And this group was objecting to certain measures, was it not?

A Yes.

Q And the SD, which had the mission of reporting on all manifestations within Germany, was not interested at all in knowing what the incidents of those measures against Jews were?

A No.

Q But you told us that your mission was to know all about what happened inside of Germany as far as legal measures are concerned?

A Yes but through the regulation concerning the limitation of the task of AMT 3 and the tasks of AMT 4 (Gestapo), it was determined that all problems concerning Jews, including those of Intelligence Service, were to be dealt with only by AMT 4.

H1012-0084

Q At what time were those rules established?

A I believe, I am not quite sure, however, that the correct date of the Plan of Organization is 27 September 1939.

Q And before this date, SD was dealing with the Jewish question, was it not?

A The SD in the Central Office II did not deal with the Intelligence Service concerning the Jewish problem.

Q So you pretend that the SD was never sending any reports concerning Jews?

A I did not say that. What I did say was that the CentralOffice II never dealt with the Jewish problem.

Q I didn't ask you about II. Which was the office dealing with the Jewish problem?

A The office dealing with the Jewish Problem was the departmental Jewish problems in Central Office II-1.

Q And your office after the organization of race and national health had nothing to do with the Jewish problem?

A We have received in my department before Amt 3 was instituted, occasional reports. These reports dealt with the facts on German living spheres still remaining from Jewish influence and my department did not deal with these matters since the other department called on Jewish problems in Department #1 was a competent one.

Q So the SD was dealing with the Jewish question, was it not?

A Yes, Central Department II-1.

Q And in the matter of race, the Jewish question was a central question, was it not?

A No because the Jewish problem is not a problem of race but with the Jews it is a people.

Q What was the formation of 3-B - 5?

A I have extensively answered that question before. It was the task of 3-B-5 to collect the reports from occupied territories in regard to the peculiarities of the individual people and to instruct all the other departments of Amt 3 in regard to these questions.

Q Did you receive any reports from the occupied territories concerni

H1012-0085

eventual opposition to Germany?

A The reports of SD was dealt with resistance groups as far as they had any affects on the different spheres of life.

Q So you were dealing with resistance movements in occupied territori

A In that sense yes.

Q Have you any connection with Amt 4?

A Yes. There were official connections. May I give you an example?

Q Yes.

A The policies of the Reich Commissioner from Norway Terboven, had promoted the formation of resistance groups. This had an effect on the security of the German occupation in Norway. Amt-4 reported on that. The negative activities of Terbovem also had effect on the spheres of life and Amt 3 reported on that.

Q What do you call the spheres of life, if possible very short?

BY CAPT. TUDDIDY: Particularly the negative effect upon spheres of life.

THE WITNESS:

A Repression of economic activity in Norway by the activity of the resistance groups.

Q So any office of the RSHA of course had intended to have the large efficiency of economy in Norway, did it not?

A The offices of RSHA had no interest whatsoever on the economy of Norway but only on the description of the economic situation.

Q So the reports were indicating that the resistance movement had a negative result and influence on the Norwegian economy?

A Yes, that is what I wanted to describe in order to answer the question whether there was cooperation between Amt 3 and Amt 4.

Q You told us just in the beginning of this interrogation that no connection existed between the Gestapo and SD, did you not?

A I should appreciate to have them shown to me.

Q Do you agree that SD was cooperating with the Gestapo?

A The cooperation which I was asked by representative of the prosec whether SD by its reports had initiated the persecuting of individuals or groups.

H1012-0086

Q We will put the question otherwise than. The SD was cooperating wit the active measures taken by the Gestapo?

A No.

Q And in this Plan of Organization of 1941 it is said that 3-B-1 for instance, at the same time concerning Amt-4 and 3-B-4 Immigration and Re-settlement concerning also Amt-4?

A May I see the document?

Q It is L-185 USA 484.

BY CAPT. TUBRIDY: Could you hold this until after lunch. We will adjourn until 2 o'clock.

The Commission adjourned at 1300 hours.

The Hearing reconvened at 1400 hours 4 July 1946

DR. HANS EHLICH - Resumed
CROSS EXAMINATION - Continued

COMMISSIONERS:

Col. M.N.S. Neave
Martin-Harvard Armand

THE ORGANIZATION SD

COL. NEAVE:

Before you commence I want to make an announcement.

The procedure regarding the examination of affidavits to the Cpmmissio which will begin on Monday 8 July 1946 in Room 398 will be announced tomorr And also the order of the Tribunal regarding the making up of Documents Books. Defense counsel should be ready to present affidavits as already announced, on 8 July. And we shall be beginning with the Gestapo.

I would also like to draw attention to the fact that since witnesses for SD and the Gestapo could be finished by the end of this week, that the three-hour rule imposed by the Commissioners will have to be very strictly adhered to.

(And the Commissioner exits.)

COMMISSIONER MARTIN-HARVARD ARMAND:

We have four witnesses to hear before Saturday. Here are the names of the witnesses: Ehlich, Roessner, Best and Fromm.

H1012-0087

Col. Meave has asked me to ask you to be as brief as possible and to ask only necessary questions in order that we shall be able to finish on Saturday.

MR. MONNERAY:

I wish to show the witness now, Document L-158, USA-484.

Q Is it correct that the plan of organization indicates that certain sections of Group 3B are in connection with Amt IV concerning the matter of jurisdiction?

A No. The representative of the prosecution seems to refer to the word "beteiligung" as participation.

Q I would like to get the answer, whether, according to this plan, connection exists between Group 3B and Amt IV.

A There is no connection.

Q I willmake it clearer. Does this plan indicate that the matters with which Group 3B is dealing with, are equally matters Amt IV is dealing with.

A Yes.

Q So - is it correct that the personnel of Group 3B dealing with the matters had to get in touch with the personnel of Amt IV dealing with the same matters.

A No.

Q Will you please explain why not?

A Yes, sir. The word "beteiligung" as participation is used in German administration if two entirely different

H1012-0088

authorities or offices deal with the same matter from two different aspects, and precisely because these two offices are entirely separate the plan of organization has to state that in certain matters the other office must be informed of such things. I can clarify this if the prosecution wishes me, by a practical example derived from the administration.

Q. I would prefer to ask you, for instance -- You have 3B1, an office concerned equally with AMT IV and Sections of Amt 3. Now, could you give me an example of the matter which does concern also Amt IV?

A. Yes, I will give you an example referring to the hearing of this morning. When 3B1 gives an expert opinion concerning Volkdum which might be interesting to SIPO - which is to say Amt IV, in any decision which Amt IV may make, then Group 3B1 will seek the participation of Amt IV.

Q. In other words, Amt IV is interested if there are any executive measures to be taken, for instance: (interruption)

A. No, because matters which are submitted to Group 3B which are not executive matters, for those would be dealt with by Amt IV.

Q. Just to make it quite clear, witness, do you maintain that Group 3B never participated in any discussion concerning executive measures dealt out by Amt IV? Do you maintain that Group 3B was only making general reports after any action has been carried out already, and that Amt III was not consulted by Amt IV, or by other offices, when it was a question to fix new executive measures -- meaning, to be consulted before carrying out of new measures?

A. Questions which I am asked up to this point refer to participation in the sense which the plan of organization is shown. I have now been asked concerning confidences pertaining to executive measures by the Amt IV. The Gestapo, just like any other state organizationssuch as the Ministry of the Interior, has invited representatives of the SD at conferences when it wanted to listen to the opinion of the SD representatives which he had on the basis of his intelligence service.

Q. So, is it correct that certain measures, such as executive measures against certain groups, before being fixed and settled, were discussed with representatives of Amt. III? Answer this question by yes or no, first.

A. I cannot answer such a question by yes or no.

Q. Is it correct then, that discussions were held before setting up a certain executive measure by the Amt IV--dicussions with Amt III. Is that correct?

A. No.

Q. Now, is it correct that before carrying out of anti-Jewish measures, the matter was first discussed with members of the SD?

A. I have stated that in my department, in my section, and in Amt III, Jewish questions were never dealt with.

Q. Is it correct that executive measures being carried out have been discussed with the SD for instance, insofar as Jewish movements are concerned in occupied countries?

A. (...the witness starts an explanation).

Q. Now, I would like to have a clear answer first--yes or no?

A. They were not discussed, but I cannot answer such a question with yes or no.

Q. Have there been any discussions concerning measures of resettlement of minorities or deportation of certain groups. Please answer this question, yes or no. Discussion with Amt. IV, or other offices, and Amt III?

A. Yes, sir.

Q. These discussion have been held also between Amt IV, or other offices dealin with--and Amt III--dealing with the fight of opposition in the occupied territories?

A. Yes, the Amt III-B, SD has been asked, as I said before, about the Intelligence reports regarding the situation which Amt III has had.

Q. Is it correct that the SD sent information and reports about the practical and psychological results of the deportation of Jews into different occupied territories?

A. No.

Q. So you maintain that the SD, which was in charge of the authorities and information about all fields of public life, in the different countries ignored completely in its reports, deportation and liquidation of millions of Jews?

H1012-0089

H1012-0090

A. I testified this morning already, that the matter of dealing with the entire Jewish problem, including the Intelligence service, was a task of Amt IV.

Q. Do you remember SS Haupsturmfuhrer Hummitzsch? Do you remember that he was representing your office in certain discussion concerning deportation of Jews and other national inferior groups?

A. After all these years, I cannot recall in which discussions this man represented me.

Q. Have you any connection in your office with any office for race and settlement?

A. Just like it was the case with any other office or authority, we had official connection with them in our capacity as Intelligence Service.

Q. Was your group consulted in certain measures to be carried out by those questions of race and settlement?

A. The race and settlement central office of the SS, according to my knowledge, did not have to take any executive measures.

Q. On general principles, according to this main office, your work was the same - by which your group, 3B1 or 3B3, and 3B4 - immigration and settlement were working also?

A. The race and settlement central office was a central office within the entire structure of the SS, and was given definite assignments by the Reichsfuhrer SS. These assignments differed entirely from those which Amt III received which was with Amt IV Intelligence Service.

Q. Are you a doctor?

A. Yes.

Q. You be lieved in the race theory of the Nazi Party, did you not?

As physician and biologist, I know the basis of race theory.

Q. This was the basis also of the activity for race and settlement, was it not?

A. Yes sir.

Q. And you had the same tules for distinguishing certain races to be eliminated from the German race, had you not?

A. I do not know what the prosecution means by elimination of certain races from the German people.

Q. You carried out a policy in trying to eliminate certain races from public life, did you not?

A. If you ask me whether the SD wanted that, the answer is no, because that was not within its competence. But if you refer to me personally....

Q. No, I am not interested in you personally, Now, did the SA collaborate in this racial policy or not?

A. The SD only cared for basic principles of racial theory, and about that has by way of Intelligence Service made reports. I have described that, and I have described the duties of 3B3.

Q. But you have not discussed when the program of the SD was set up?

A. I do not know what deportation of racial groups are referred to here.

Q. Hou know verytainly whether or not the SD had collaborated in the deportation of certain groups.

A. I have underlined several times today that the SD was not an executive organization , and consequently could not.

Q. And your Group 3B1, for instance, did not participate in any discussion to fix up the practical rules of deportation?

A. If the SD has participated in hundreds of discussions with all the various authorities of the Reich because he was consulted as an Intelligence Service regarding the Intelligence Service Reports. I am no longer in a position to say; but if the SD, as the highest intelligence authority in its capacity of SD has participated in such conferences, it does not mean that it participated in the executive measures.

H1012-0091

Q Why has he participated in the discussion of those things?

A I have delineated that in my answer -- because it belongs to an extensive Intelligence Service. If a high authority for the State asks him for his opinion concerning the situation in a certain sphere of life he must give the information.

Q It is only sufficient to give information once the theory has been carried out, is that correct?

A I believe that the representative of the Prosecution misunderstands the essence of the Intelligence Service. It is not the task of an Intelligence to follow the events, but by virtue of his representatives on the basis of his experience under circumstances to be consulted before and to give information before.

Q For what reason, to be consulted before?

A Because an Intelligence Service, if the party and State organized an Intelligence Service, and pay him, they will consult them when they need them.

Q How is this information to be useful before the carrying out of the measures?

A It may be useful because the SD, on the basis of similar events which have happened before, has certain experiences derived from former events, which one wishes to hear now on the occasion of this new evidence.

Q So it was the task of the Information Service, for instance, to tell whether or not certain groups could be maintained within the Reich or not?

A No.

Q What was his task in this matter?

A The duties of the Intelligence Service in Section 3B was: How different groups in their peculiarities and in their forms reflected themselves in the different groups of the German people, and the opinion, attitude, and morale of these individual groups.

Q I show you Document R114, USA 314, documents on the conference about the resettlement and deportation of persons and it has been decided at this conference that certain groups such as colored persons - Negroes, Gypsies, Jews from half-Jews on, people of foreign race and foreign speaking, and so on, have to be expulsed. Do you imagine that this conference was interesting also to your group?

H1012-0092

A May I see the document?

Q I am sorry,but i ask you the question -- whether this conference could interest also your group?

A It was not my group, but the office from which this conference emanated was probably interested in the participation by the SD.

Q At this conference those matters dealt with -- it concerned race and Folkdom, did they not?

A Yes, after what the Prosecution has said to me, yes.

Q This explains the presence of Mr. Bormann (?) at this conference, does it not?

A Yes, because the Prosecutor has read from the document that it deals with a resettlement or deportation of Alsacians, and that was a problem which Sector 3B1 Folkdom was dealt with in Intelligence Service manner.

Q You told us this morning you got in your section special missions, did you not?

A Yes, sir.

Q What was the kind of those special missions?

A This can be derived from the discussion this morning. It was a matter of reports which were not purely of an Intelligence Service nature, but expert opinions pertaining to certain questions of Folkdom.

Q Did you proceed with those missions from AMT 1V?

A No.

Q Did you receive them from the SS main Office?

A No.

Q From a different SS office?

A No.

Q From whom did you receive them?

A These special missions originated with the Reichskommissas zur Festigung deutschen.

Q And you got those missions also from other offices?

A No. In that case it was a matter for the Intelligence Service.

Q You never got information from the Ministry of Agriculture and Food?

A 3B had no connection with that.

Q No reports have been made on the situation of works outside of Germany?

A Yes, but not expert opinions. They were Intelligence Service reports pertaining to situation, moral attitude of the foreign enterprises.

Q And you reports gave conclusions, for instance, how to obtain efficienc from foreign workers?

A Oh, yes, they did.

Q So your office gave conclusions and practical suggestions?

A If by way of the Intelligence Service channels practical suggestions reached us they were transferred to the proper authorities.

Q Very well. You told us that the special Einsatzkommandoes in the East had Section IV, did you not?

A Yes.

Q And also Section 3 correspon ing to AMT III?

A Yes, but they were not in all occupied territories.

Q Was it so in the West?

A The Einsatskommandoes in France did not contain a Section III.

Q What do you understand by Einsatzkommandoes in France?

A There was a Kommando of the SIPO and the SD in Paris, and subordinate to him there were various Einsatzkommandoes.

Q And the office of the BDS in Paris had an AMT III, had they not?

A Yes.

Q Now, in the East. How was the organization in the East?

A In the East the Kommandos of the Security Police also had a Section III.

Q And the different sections were coordinated by the commander of the SIPO and SD, were they not?

A No. Only in organizational questions, not in connection with factors.

Q Had it anything to do with prisons?

A No.

Q How can you explain that in Document L-53, USA-291 was said that the prisons have to be cleared as fast as possible by interrogating very shortly prisoners and by transferring them as fast as possible into the Concentration Camps. This document has been sent not only to Section IV, but also to Section V. And these questions of prisons in Concentration camps had nothing to do, of course, according to you, with the organization SD?

(Here the witness examines the document handed to him.)

H1012-0094

A Why the Commander of the Security Police has issued this order to the chief of Section III, I do not know. It has nothing to do with the vital tasks of the SD.

Q You maintain also that the SD AMT III had nothing to do with the execution of Russian prisoners of [illegible].

A Yes.

Q And you can't explain, of course, why Document 115-PS, USA-244 -- about the Russian prisoners of war -- dealing with the transportation of these prisoners who were to be shot in Concentration Camps. Why if this document has been sent not only to AMT IV but also to AMT III, must be a mistake also? This document is signed by Mueller, chief of AMT IV.

A Yes, sir. I am able to give information on this one. The distribution key shows those offices who have official connection with it. And then follows offices who received it for information only, and there is listed the chief of AMT III. Which means that AMT III had nothing

H1012-0095

H1012-0096

to do with putting it into practice.

Q But it was sent to the inspector of SIPO and SD, was it not?

A For information, yes.

Q Was the inspector of SD permitted to eventually give his SD offices this document?

A No. That was not the duty of the inspector of the SIPO and of the SD. This is shown by the State police offices whose duties it was to take State executive measures addressed specifically as executive offices. The inspector of the SIPO and the SD did not have to issue any order or directive in factual matters of the RSHA.

Q So AMT III received orders even of matters AMT III was not dealing with directly, is that right?

A Yes, in this case they received that order for information.

Q So AMT III knew about the execution of Soviet prisoners of war?

A Not AMT III, but only the person who has received that copy.

Q In this document it is said that the population did not like this sort of transportation. Anyhow, it was to be worded so that population was not to be aware of half-starved half dead prisoners of war. This reaction of the population should have been reported by the SD, should it not?

A Yes. They did report it. The V-men of the SD have on the basis of the fact that due to the conditions prevailing in the winter of 1941 in the Eastern territories Russian prisoners arrived in a very bad situation, reported it. This report arrived at AMT III. We transferred them to the responsible authorities. I stated this morning that the SD has dealt with prisoners of warin the area of living spheres.

DR. GAWLIK: I regret to have to object. Not for factual reasons but for reasons of form. The ruling exists that any hearing is to last only three hours. My hearing lasted two hours. The prosecution's hearing already has lasted two hours. There are three more witnesses to be heard until Saturday. I must feat that my last witness will be omitted, and that I consequently will be limited in my defense of the SD if the time... I will not object if the hearing of the three witnesses will be continued until Monday if necessary, otherwise I must object for formal reasons.

H1012-0097

MR. MONNERAY: I will be finished in a few more minutes.

THE COMMISSIONER: The time for any certain person has not been determined beforehand. I am of the opinion with the lawyer that the hearing of the witness is too long. I will simply say that we must move quickly now. The prosecution and the defense. And since the lawyer has admitted that he has interrogated the witness for two hours... this is a question of interior settlement and I must ask for everyone's good will.

BY MR. MONNERAY:

Q So your Service reported about the transportation of Soviet prisoners of war? These reports were sent to the Gestapo, were they not?

A No. They were not sent to the Gestapo because at first the Gestapo had nothing to do with this.

Q Where have those reports been sent?

A In 1941 the chief of the prisoners of war was a part of the command of the Wehrmacht.

Q So your reports were sent to the Army?

A I believe so. But I don't want to state after four years under oath...

MR. MONNERAY: I have no further questions.

****

BY LT. CMDR. HARRIS:

In the interest of saving time, with which I am in complete agreement I will simply submit one or two documents to the witness.

This Document R-112, USA 308, which is the document discussed this morning wherein reference is made to the joint request of the Gestapo and the SD for applications for orders for protective custody in Concentration Camps. You testified that you did not believe that this order was carried out.

A I doubt the fact that on the basis of this order members of the nationality list four were either taken into protective custody or put into Concentration Camps.

Q I want to just call your attention to the last paragraph, 6, which reads as follows:

"In fulfillment of their duty to examine continually the success of the

H1012-0098

re-germanization action (Section 3 of the decree of 16.2.42) the Security Service superior offices in Germany proper have to intervene in the same way as they put in continuously report on Poles suitable for germanization to the Reich main security offices of the Higher SS and police leaders. They have to assist to appoint "counsels" as to questions of race (in charge of Departme 3B) whenever possible."...

A Yes.

Q Now I want to pass to another subject very briefly. That is, this matter of Einsatz groups. Now, you testified that to your knowledge the SD had nothing to do with the shooting of Jews.

A Yes, sir.

Q Were you a member of the Einsatz Group?

A No.

Q I will show you Document 2620PS, and ask you if you recognize the signature at the botton of this document.

A Yes, sir.

Q Whose signature is that?

A That is the Chief of Section III, Ohlendorf's signature.

Q That was your chief, was it not?

A Yes.

Q You knew that Ohlendorf himself was the leader of the Einsatz Group? Did you not? Answer this, yes or no, please.

... Nothing ...

(...continuing) All of us know the testimony of Ohlendorf in court. To speed the proceedings I am asking defense counsel whether they have any objection to my referring to this paper of Ohlendorf?

NO OBJECTION.

LT. CMDR. HARRIS

(...continuing) I want to read into the record this affidavit of Ohlendorf beginning with the third paragraph. "When the German Army invaded Russia I was leader of the Einsatz Group D in the Southern Section, and in the course of the year during which I was leader of the Einsatz Group D it liquidated approximately 90,000 men, women and children. The majority of

H1012-0099

those liquidated were Jews. There were among them some others too. In the implementation of this **** program Einsatz Groups were subdivided into Einsatz Commandos, **** and into stillsmaller units, the so-called **** Commandos and **** commandos, usually the smaller sed ****

The units selected for this task would enter a village or city and order the prominent citizens to call together all Jews for the purpose of resettlement. They wererequested to hand over their valuables to the leaders of the unit and shortly before the execution to surrender their outer clothing. The men, women and children were led to a place of execution which in most cases was located in a very deeply located ditch. Then they were shot kneeling or standing and the corpses thrown into the ditch."....

Now, I won't read any further. I just read this for the purpose of illustration.

If members of the SD like Ohlendorf and others actually lead these Einsatz groups and the subordinate units of Einsatz groups which rounded up Jews, stole their clothing and murdered them, don't you agree that perhaps you were not exactly correct when you said members of the SD had nothing to do with the execution of Jews?

A It did not belong to the orders which were furnished the members of AMT III for their employment in the east.

H1012-0100

Q The question is not as to whether this was consistent with general functions of gathering intelligence. I am asking you whether you not now realize that your statement that members of the SD had nothing to do with shooting was wrong? --- I am giving you an opportunity to correct your testimony if you want to. In view of the positive evidence that somebody would really know it.

A If members of the SD took part in the execution of Jews or other people they did not do that by way of the Intelligence Service orders, but by the orders of the Commander during their Einsatz activities.

Q Yes, that's true. When these reports came in, the actions of the Einsatz Groups, of course your section received a copy as you already testified. Then, AMT III, IV, and perhaps other departments in the RSHA pooled their information into a final report which was distributed to interested persons?

A No.

Q Well, let me show you Document PS 3943, USA 864, which is a collection of weekly reports of the activities of Einsatz Groups, and I particularly invite your attention to the fact that one section in each of these reports deals with the living spheres.. Now, you find the fact that this information is reported, don't you?

A Yes.

Q You might know that the front page of that copy was distributed to the Reichskommissar? Certainly nobody else would have trusted the material for that report on the living spheres (?) other than AMT III?

A Yes, 3B.

Q Yes, 3B.

(Cross Examination continued)

BY LT. COMMANDER HARRIS:

Q There are just two things I want to read into the record, that is first, Report No. 4 of the Krimtschaks (approximately 6000) who were generally counted to be Jews who have lived for the greater

H1012-0101

part in Sinferopol (2500) and in Karasubarsai, their annihilation together with that of the real Jews and gypsies in the Crimea took place essentially in the beginning of December 1941. The fact that the Krimtschaks and the gypsies shared the fate of the Jews did not particularly excite the fight." The SD of course would the agency which reported how the population reacted to the murder of the Krimtschaks and gypsies as well as the Jews?

A In connection with that I stated this morning that the reports of the Grippen did not come regularly in the Section 3.

Q That is not the answer to the question. I am just asking you whether it would not be within the province or the interest of the SD to report upon the public reaction to the murder of the Krimtschaks and gypsies as well as to the customary murder of Jews? You can answer that Yes or No, then explain. The answer is yes?

A It is not yes. I have answered that question this morning. You will find it in the record.

No further questions.

BY COLONEL ORLOV:

Q Were you in the East yourself?

BY THE COMMISSIONER: Colonel Orlov, how many questions do you have?

I have 3 or 4 questions.

BY COLONEL ORLOV:

Q Did you take official trip to the East?

A Yes, to the Ukraine.

Q When was that?

A In June 1942.

Q Did you visit Ohlendorf?

A No, I was not in the Crimea. I took sick and remained sick in Mariopol.

Q Where did you get your reports from?

A The reports from the East?

Q No, the reports in General.

A We received our reports from the SD Leitabschnitten and the SD Abschnitten.

H1012-0102

Q Did you have your own agents?

A The SD did not work with agents, but with V men.

BY THE DEFENSE: I have two questions.

Q You stated in the cross examination that the SD has assisted the party in reaching their goal. I now ask you was this considered to be a conspiracy for the purpose of committing crimes against peace, war crimes, and crimes against humanity?

A No.

Q You stated that there was a possibility that the SD participated in the conferences where the deportations and shootings were discussed?

A Deportations were discussed, yes.

Q I now ask you what was the attitude of the SD during these conferences. Did it support measures executed in this way or did it take an opposing attitude on the basis of reports as received?

MR. MONNERAY: I object to this question since it seems to be too general. Concentrate and ask complete questions.

BY THE DEFENSE:

Q I am asking you regarding the attitude of the SD pertaining to those conferences which were discussed during the cross examination.

BY THE COMMISSIONER: The question, though it is general, it is a question that has been raised by the prosecution and may be heard by the witness.

WITNESS: Will you kindly repeat the question.

BY THE DEFENSE:

Q What was the attitude of the SD regarding deportations? Did he support those measures or did he take an opposing attitude?

A Generally, the SD rejected the resettlement and deportation of foreigners since it disquieted the population; it disturbed economic war measures and instead of contributing to quiet, to calming the population, brought about a hostile attitude on the part of the population concerned.

H1012-0103

No further questions. Witness excused.

Court Recessed at 1540 hours.

The foregoing is a true and correct transcript of the testimony of DR. HANS EHLICH, taken on 4 July 1946.

Evelyn M. Roberts
Reporter

P. L. Ahuna
Reporter

Marjorie Shumway
Reporter

Genovieve Biolsi
Reporter

CERTIFIED TO: